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Santa Fé. Territory of N.

Record of the acts and proc
Meriwether in his executive depart

1853.

August 8. Governor David Meriwether having this day ar
Genl Garland and Majr Nichols of the United States Arm
road by Governor Boone together with a numerous body of
corted to the city. Whereupon he produced the following Comm
President of the United States, together with the following certifi
having taken the oath of office prescribed by laws, was duly inaug
Governor of the Territory and delivered an address to the citizens ass
and immediately entered upon the discharge of the duties of his office —
A salute was fired by order of Majr Brooks. commanding Officer of the
garrison in honor of the occasion, and the usual appropriate religious
services were performed in the Catholick Church of this city.

Franklin Pierce

President of the United States of America

To all who shall see these Presents, Greeting:

Know Ye: That reposing special trust and confidence in the Integrity
and Ability of David Meriwether of Kentucky I do appoint him to
be Governor of the Territory of New Mexico and do authorize and
empower him to execute and fulfil the duties of that office accordin
to law, and to have and to hold the said Office, with all the powers,
leges and emoluments thereunto of right appertaining unto him the
said David Meriwether, during the pleasure of the President of the United
States for the time being, and until the end of the next session of the Sen
ate of the United States, and no longer

In Testimony whereof, I have caused these letters
to be made patent and the seal of the United States to
be hereunto affixed.

Given under my hand at the City of Washington
the sixth day of May, in the year of our Lord, one
thousand eight hundred and fifty three, and of the
Independence of the United States of America the
seventy seventh

Seal

By the President Franklin Pierce

W. M. Marcy Secretary of State

Be it known that on this day personally appeared before the
designed chief Justice of the Supreme court of the United State
David Meriwether who having produced before me a Comm
from the President of the United States appointing him Gov
wether to the office of Governor of the Territory of
upon & duly admin

Santa Fe Territory of New Mexico August 8th 1853.

to support the constitution of the United States and faithfully to discharge the duties of said office; as prescribed by the act of Congress establishing a Territorial government for said Territory approved September 9th. 1853.

Given under my hand at the city of Richmond and State of Virginia on the 20th. day of May 1853.

R. B. Taney.

INDEXED

August 10. Territory of New Mexico } To wit
County of Santa Fé }

I John S. Watts Associate Justice of the Supreme Court of the Territory of New Mexico do hereby Certify that on the tenth day of August Eighteen hundred and fifty three James L. Davenport personally appeared before me and in my presence signed and was by me duly sworn to the following oath of Office, to wit;

Territory of New Mexico } To wit
County of Santa Fé }

I J. L. Davenport do solemnly swear that I will support the Constitution of the United States and faithfully discharge the duties of Chief Justice of the Supreme Court of the Territory of New Mexico

J. L. Davenport.

In testimony whereof I have hereunto set my hand and seal this 10th day of August 1853.

John S. Watts Seal
Ass Just. S. C. N. Mexico

August 12 Executive Office
Santa Fe August 12th 1853.

To the Governor
of Chihuahua

Sir

It affords me great pleasure to announce to you Excellency that on my rout from the States to assume the office of Governor of the Territory of New Mexico I fell in with two Mexican girls who have been captives with the Kiawa Indians. One is about the age of Sixteen years and says that her name is Joaquina Castro, that she was taken by the Indians near the river Nasos in the State of Chihuahua but does not recollect how long she has been a captive The other is about the age of fifteen years and says that her name is Juana Hernandez, that she was captured near San Geronemo near the city of Chihuahua about one year since. These captives made their escape from Captivity near the Arkansas river and succeeded in reaching a train of waggons transporting army Stores to this Territory under charge of Mr. McCarty who with

Santa Fé Territory of N...

beating off the Indians and thereby [illegible]
prisoners, But a few days after I passed...
tives to be delivered to my possession here...
Majr. Baccus of the United States Army who...
Fort Filmore in a few days will take charge of...
Some officer of Mexico or Chihuahua most convenie...
In this act it is hoped that your Excellency and the gov...
Mexico will find an evidence of the disposition on the [illegible]
government of the United States, strictly to comply with its o...

I have the honor to be Your...
Excellencys most Obt. Sont.
D. Meriwether
Governor of New Mexico

August 13 The Governor this day wrote a letter to the Hon. Wm. L. Marcy Secretary of State, communicating facts relating to the disputed boundary question also advising of the restoration to the authorities of Chihuahua, of two captive girls, recovered from the Kiawa Indians. See Letter Book page 1st.

August 26 The Governor this day drew a draft on Hon. James Guthrie Secretary of the Treasury in favour of I. I. Webb for One thousand dollars being for the amount of the appropriation for the Contingent Expenses for the Territory of New Mexico for the current fiscal year and wrote letter of advice. Letter Book [illegible]

August 26. Territory of New Mexico
County of Santa Fe } To Wit

I. Kirby Benedict do Solmnly Swear that I will support the Constitution of the United States and faithfully discharge the duties of Associate Justice of the Supreme Court of the Territory of New Mexico

Kirby Benedict

Territory of New Mexico
County of Santa Fe } To Wit

I. James I. Davenport Chief Justice of the Supreme Court of the Territory of New Mexico do hereby certify that on the twenty sixth day of August Eighteen hundred and fifty three Kirby Benedict personally appeard before me and in my presence subscribed and was by me duly sworn to the foregoing oath of Office

I. I. Davenport
Chief Justice of the T. of N.M.

August 29 } The Governor this day directed a communication to M. Ashurst Esq. Genr. of New Mexico, requesting of him an official opinion, as to whether as Governor of this Territory, had a legal right to issue his proclamation offering awards for the apprehension of absconding prisoners charged with commission of crimes within this Territory &c. See Letter Book

Santa Fe Territory of New Mexico August 30th 1853

ust 30 Mr. Ashurst Esq. the Attny. Genl. of this Territory, this day replied to the com-
munication of the Gov. dated 29th inst. giving his opinion adverse to the legal
ity of the right of the Governor to issue his proclamation &c. see copy, Letter Book page 6.

August 31 The Governor this day wrote a letter to the Hon. Wm L. Marcy. commu-
nicating additional facts relating to the Mesilla question. also, advising
of the condition of the Archives of this Territory. Also recommending an
appropriation of a sum of money for the improvement of the main road from
the States to and through this Territory. Also calling attention to the nonfulfil
ment of the treaty stipulation, on the part of Mexico, for the appointing of a
Commissioner to receive and pay the expenses of Mexican captives, recovered from Indians
within the borders of our territory. Also advising of disputes growing out of
claims to the Salt and Salt Lakes of this Territory. See Letter Book page 8.

August 31. The Governor this day addressed a communication to the President of the
United States relative to the act of Congress making an appropriation for
building a penetentiary in this Territory

September 8 The Governor this day addressed a communication to the Commission
-ers of Public Buildings in this Territory calling for a report of their proceed
-ings &c See Letter Book page 14.

September 20 The Governor this day Commissioned the following Civil Officers of this
Territory, who were elected at the late general election held ~~on~~ within thwo
respective Counties on the fifth day of the present month. viz.

For the County of Taos.

José Benito Martin Judge of Probate
Marcelino Bigil Sheriff

Justices of the Peace:
Julian Aredu
Juan Pacheco
José Domingo Mondragon
Reyes Rodrigues
Pedro Lopez
Thomas Yalanda
Jose Guadalupe Lovan
Jose Ygnacio Velasques
Francisco Quintana
Miguel Sanches

Constables:
Grabiel Lucero
Pedro Mares
Juan de Jesus Suasco
José Maria Cordova
Esquipula Medina
Claudio Gallegos
Felipe Romero
Jose Montoya
Mateo Romero
Manuel Martin

For the County of Rio Arriba

Jose Maria Chavis Judge of Probate. Pedro Garcia Sheriff

Justices of the Peace:
Mariano Martines
Antonio Domingo Lucero
Felipe de Jesus Martines
Miguel Salazar
Gallo

Constables:
Cruiz Martines
Antonio Isa. Guillegos.
Felipe Casias
Miguel Antonio Abeita
Silan Guillegos
Jesus Maria Lopez

Territory of New Mexico

September 20.

For the County of [illegible]

Jose Eulogio Ortiz Judge of Probate [illegible]

Justices of the Peace:
Victor Garcia
Lorenzo Martin
S H. Minks
Vicente Lopez
Manuel Bustamante
Jose Maria Sena
Jose de la Cruz Chavis

Marian
Ygnacio Sa.
Jose Sacon
Richard Bray
Jesus Romero
Antonio Bustamante
Marians Sena
Ramon Chaves

For the County of San Miguel

Francisco Lopez, Judge of Probate — Antonio Baca y Baca, Sheriff

Justices of the Peace:
Manuel Varela
Vibian Arrujo
Reyes Aragon
Antonio Baca y Simons
Jesus Bernal
Martin Romaldo Trujillo
Gabriel Rivera
Agustin Quintana

Constables:
Vicente Quintana
Miguel Lucero y Martin
Manuel Parras
Teodoro Sandoval
Regenio Montano
Juan Baca y Lucero
Mariano Rodarte
Facundo Maes

For the County of Santa Ana

Jose Andres Sandoval Judge of Probate. Ambrocio Gonzales. Sheriff

Justices of the Peace:
Jose Maria Gutierres
Miguel Casadas
Ygnacio Baca
Meliton Vigil

Constables:
Guadelupe Giron
Francisco Arrujo
Marians Nieto
Pedro Baca

For the County of Bernalillo

Julian Perea Judge of Probate — Ygnacio Gallegos Sheriff

Justices of the Peace:
Jose Arrujo y Ortize
Vicente Chaves
Juan Josi Jaramillo
Lorenzo Montaño
Pedro Antonio Montoya
Juan Josi Gonzales
Narsis Santiesteban

Constables:
Marcos Lobato
Juan Montoya
Santos Gonzales
Francisco Muniz
Roque Chaves
Trinidad Garcia
Pedro Salazar

For the County of Valencia

Francisco Xavier Sanches Judge of Probate
Anastacio Garcia Sheriff

Justices of the Peace:
Manuel Baca
Mariano Pino
Miguel Lucero
Jose Castillo
Jose Benito Sanchez
Jose Gregorio Aragon

Constables:
Jesus Torres
Jose Trujillo
Juan Loveras
Jose Candelario
Juan Torres
Anastacio Montoya

Continued

Territory of New Mexico September 20th 185

Sep 20

For the County of Socorro

Pedro Baca Judge of Probate Celis Cuellar Medina Sheriff

Juan Baca
Jose Antonio Torres
Juan Alvino Gonzales
Jose Cordova
Jose Trujillo
} Justices of the Peace

Juan Chavis
Pablo Jaffolla
Tranquelino Lopez
Cristobal Luna
Jose Lopez
} Constables

For the County of Doña Ana

Richard Campbell Judge of Probate John Jones Sheriff

James Lucas
Miguel Tierros
} Justices of the Peace

Pamfilo Gonzales.
Gregorio Maldonado
} Constables

September 21 United States of America
Territory of New Mexico

I David Meriwether Governor of the Territory of New Mexico do hereby certify that on the 20th day of September A D 1853 and in my presence William S. Messervy Secretary for said Territory proceeded to open and count the returns of votes given at a general Election held in the several Counties of said Territory on the fifth day of the present month for a Delegate to the thirty-third Congress of the United States,- and that counting the entire vote as returned by the several Prefects, the result stands as follows. viz.

Jose Manuel Gallegos received 4971 votes
William Carr Lane received 4526 votes
Majority for Jose Manuel Gallegos. 445 votes

And that after throwing out of the count such returns as were not made in strict accordance with law the result stands as follows,- viz.

Jose Manuel Gallegos received 2806 votes
William Carr Lane received 2267 votes
Majority for Jose Manuel Gallegos 539 votes

Therefore. I the said David Meriwether. Governor as aforesaid do declare and make known that the said Jose Manuel Gallegos, was and is duly elected the Delegate from said Territory to the thirty-third Congress of the United States according to law.

Intestimony Whereof I have hereunto signed my name and affixed the Seal of the Territory of New Mexico this twenty-first day of September A. D. 1853.

Seal

D. Meriwether

the Governor

Wm. M. Messervy Secy

Territory of New Mex

September 24 The Governor this day Commis
Notary Public for the County of Va
September 30. The Governor this day received and acc
Miguel A. Otero a member elect to the Ho
of the Legislative Assembly of the Territory of
October 1st The Governor this day received and accepted
of M. Ashurst as Attorney General of the Territory of
October 4. This day the Governor issued the following proclam

Proclama

David Meriwether

Gobernador del Territorio de Nuevo Mejico

A todos á quienes perteneciere

Por virtud del poder que me es conferido por la ley. Yo. David Meriwether Gobernador del Territorio de Nuevo Mejico por esto, ordeno y dirijo que sean abiertas las Elecciones en las varios precintos de votacion en el Condado de Valencia de este Territorio el primero lunes de Noviembre próximo. para la Eleccion de un miembro para la Camara de Representantes de la Asamble legislativa del Territorio de Nuevo Mexico para llenar la vacante ocacionado por la resignacion del Hon: Miguel A. Otero.

El Juez de Pruebas y todos los demas que sean requeridos de auxiliar y asistir en dicha Eleccion, son referidos a la ley de Eleccion de este Territorio para su gobierno, en el desempeño de sus respectivos deberes.

Hecho en la Ciudad de Santa Fe hoy dia Cuatro de Octubre, en el Año de Nuestro Señor de mil Ochocientos Cincuenta y tres.

D. Meriwether

By the Governor
M. S. Messervy
Secretary Terry. N. Mexico.

October 10. The Governor this day remitted the fine of Fifty dollars imposed upon Filomeno Sanches by order of Probate Court of the County of Valencia on the 29th day of September last for the offence of Selling Goods without license.

October 14 The Governor this day commissioned Francisco Thomas Baca y Perea Judge of Probate for the County of Santa Ana, who was declared to have been elected by the First District Court, in a contested suit between the said Baca and Jose Indres Sandoval who was commissioned by the Governor on the 20th of September last.

October 15 The Governor this received and accepted the resignation of Jose Ma Ortize, Judge of Probate for the County of Santa Fe

October 17 The Governor this day, ordered that Clemente Soldana be set at liberty had been confined in the County Jail of San Miguel for the non execution for fine and costs amounting to fifty dollars) and the said fine and costs.

Secretary of New Mexico October 17th 1853.

October 17. The Governor this day pardoned Miguel Rivera, who was sentenced to ten years imprisonment, and who has been confined five years in the County Jail of San Miguel.

October 17. The Governor this day issued his proclamation, ordering an election, of a Judge of Probate for the County of Santa Fe, on the 31st day of October. to fill the vacancy occasioned by the resignation of Jose Eloy io Ortiz

October 18. The Governor this day Commissioned Patricio Silva. Sheriff of the County of Santa Ana who was declared to be elected by the decision of the Probate Court, of said County. in a contested suit between the said Silva and Ambrocio Gonzales, who was commissioned, for the same office on the 20th day of September last. on the showing of the Official Election returns.

October 29

Executive Office Territory N. Mexico
Santa Fe October 29th 1853

Don Manuel Barela
Justice of the Peace
Pecos

Sir,

I am informed that there are persons in the village of Pecos who sell spirituous liquors to the Indians resiting that place which causes them to conduct themselves very improperly and it is your duty to prevent such a practice if it does prevail I therefore send you a copy of the law of this Territory intended to apply to such cases, and trust that this law will be rigedly enforced on all occasions of its violation

Very respectfully
Your Obdt Svnt.
David Meriwether
Gov. of New Mexico

November 5. The Governor this day received and accepted the resignation of Jose Gutierres. Coroner of the County of Santa Fe.

November 14. The Governor this day wrote a letter to the Hon William L. Marcy Secretary of State adressing of the murder of an Indian Chief by a Citizen of Mexico. who fled to the disputed territory of the Mesilla valley, and of the difficulties in the way of his apprehension and punishment see letter book page 15.

November 16. The Governor this day Commissioned Jose Eucebio Saens. Constable for the County of San Miguel and Juan Trujillo Constable for the same County

Nov 28. The Governor this day issued his proclamation ordering an election of a ~~Judge of Probate for~~ Member of the Legislative Council, for the District of San Miguel and Santa Fe to fill the vacancy occasioned by the death of Jose Francisco Lopez.

~~The Governor this~~ day received and accepted the resignation Hilario Rudulph Notary Public for the County of Taos.

Territory of New Me

November 28. Territory of New Mexico } ss
County of Santa Fe

I. James.

of the Supreme Court of the Territory of Ne
tify that on the twenty eight day of Novembe
and fifty three William W H Davis personally
me and in my presence signed and was by me duly
following oath of office to wit

Territory of New Mexico } ss
County of Santa Fe

I William W. H. Davis do solemnly
Swear that I will support the Constitution of the United States
and faithfully discharge the duties of the United States Attorney
for the Territory of New Mexico

William W. H. Davis

In Testimony Whereof I have hereunto set my hand
and Seal This twenty Eight day of November A D. 1853

I. I. Davenport Seal
Chief Justice of New Mexico.

1c

December 6. The Governor this day delivered the following Message
to the Members of the two Houses of the Legislative Assembly
of this Territory.

✓

Gentlemen of the Council
And House of Representatives:—

Having been chosen, by
your respective constituencies, as their agents to legislate for them and their
welfare, it may reasonably be expected that whilst each member will watch
with a jealous eye over the local interests of his own immediate constitu-
ents, yet that the general good will never be lost sight of. Indeed it can
very rarely happen, in a community like ours, that the interests of any
one locality or section will be found at war with the common good.
The legislative power And authority of the Territory, having been vested
jointly in the Legislative Assembly, composed of members chosen by
And representing various, local Constituencies, and the Governor, who is
supposed to represent the entire Community without reference to
fractional parts,— And that power and authority extending to all right-
ful subjects of legislation, Consistent with the Constitution of the
United States, And the provisions of the Organic law, let us apply
our duties with eyes steadily fixed upon the honor And best interests
of our Common Country.

There is no single duty which it is incumbent upon me to
that I approach with greater diffidence and distrust than
than that of laying before the Legislative Assembly the subject
tive action. My very recent [illegible] in the

the state of its condition and wants, will, I fear, render it difficult for me to discharge this duty in a manner creditable to myself or profitable to others. Relying, however, upon your superior knowledge, to compensate for my own deficience, I promise to bring into requisition my utmost zeal for the promotion of the common good.

One of the first great subjects of paramount interest to every community, is general education; for unless the public mind be enlightened, no people can ever attain a very high degree of prosperity and happiness. Education is to the mind what cultivation is to the soil; when the latter is rich and fertile vegetation may be rank and luxuriant even without culture, but there will be little profit in the production. So it is with the human mind; if this be strong and fertile, then the ideas and conceptions may be rich and brilliant; but without culture half of its richness and brilliancy will inevitably be lost. Mental culture becomes vastly more necessary to a community living under a republican form of government, such as ours, than to any other for the whole theory of such a structure is based upon, and its stability depended on, the intelligence of the people. The true theory of such a government is, that all power is inherent in, and derived from the people; then how important does it become that a people, possessing such vast powers, should be sufficiently enlightened to make an intelligent and proper disposition of them. Let it be recollected, too, that under our happy from of government, its highest honors and richest emoluments are open to the competition of all, none are necessarily excluded, save those whom ignorance has rendered incompetent, or vice unworthy. It should also be recollected that ignorance is a fruitful source of crime and misery. On examination of the reports made by the various Keepers of the penitentiaries of the several States of this Union, it will be found, that more than one half of the Convicts can neither read nor write; And this, too, in communities where at least nineteen out of twenty of the adult population possess the advantages of education. Hence the ignorant, who compose but one twentieth part of the population, are shown to have perpetrated one half of the crimes. If, then, the advantages to which I have alluded, be in any considerable degree attributable to education, and the disadvantages to the want of it, I submit to you, as the representatives of the people, whether it be not one of your first and most important duties to devise means for the education of the rising generation. It must be admitted that the resources of the Territory are limited in the extreme; yet he who shall, with such limited means, devise a plan adequate to the accomplishment of this great end, will richly deserve to be ranked with the benefactors of his country.

The plan which to my mind promises the best results towards the ~~creation~~ of a fund for educational purposes, is for the Legislative Assembly ~~memorialize the Congress of the United States~~ in favor of a grant ~~for~~ of ~~one eighteenth~~ part of the proceeds of the sales of all ~~lands in this~~ Territory, ~~in lieu of the grant heretofore made of the~~ ~~sixteenth~~ ~~in each~~ ~~township~~ This plan is suggested,

December 6 end desired, but because the former qu
by the peculiar structure of the country; c
may become a nucleus, around which other
which in time may prove sufficient.

There is another subject of much delicacy in its
of vital interest to all well regulated governments, and c
7 attended to sooner or later, and that is revenue. Without
Amount of revenue to defray the cost of an economical admins
their government, no people can have such government fer,
administered; and hence I would call to this subject your mos
attention. It is said that the laborer is worthey of his hire; and it
suggested that the efficient Officer of government is also worthy o
his salary; experience teaches, too, that the laborer will perform his
duty with greatest alacrity when confident of receiving his hire
promptly, and the same rule will hold equally good when applied
to the Officers of government. Understanding the truth of these
maxims, it will be found that wherever the government of the United
States has created an office in this Territory or elsewhere, the same
government has provided for the prompt payment of the salary attached
to it. The creation and payment of the salaries of a large number of
the Officers of the Territory by the general government, leaves, comparatively
speaking, but a small amount of revenue necessary to be raised by the
Legislative Assembly. And, surely, when we ourselves create and provide
for the filling of Offices, it is incumbent upon us also to provide the neces=
sary means to secure a prompt payment of the salaries attached.

Government being designed to secure to each member of a Community
the peaceful enjoyment of life, liberty and property, it is incumbent
upon each one to contribute an equitable portion towards its support;
And it also becomes the duty of that government to devise such a
system as will accomplish the desired end with equity and justice.
But when a system has been devised, fully adequate to secure an equitable
imposition of taxes, it then becomes the duty of the government to
devise laws to secure a prompt collection, and safe keeping, of the
revenue. In this particular, I am constrained to suggest that the laws
now in force are wholly inadequate, And recommend that more stringent
ones be passed. Indeed, such is the frequency of failures to pay over
public revenue, that I suggest the propriety of declaring all defaulting
Officers guilty of felony, And having them punished accordingly; to this, no
honest Officer can be expected to present a reasonable objection, and those
are dishonest, require such a restraint. This is not a novel feature in
legislation, but on the contrary, it is the present law of the United
applicable to the Officers of the general government; and it is true
to be the law in several of the States of this Union.

I herewith transmit to the Legislative Assembly, the annual
of the Auditor, and Treasurer of the Territory, for the fiscal yea
on the 15th of November last, by which it will be seen
receipts by the treasurer to

number 6 made by him during the same period, amounted to $3.899 42, and there are outstanding warrants issued during the same period, amounting to $2.620 65. To which add outstanding warrants issued during preceding years, Amounting to $431 93. And you have, as the total outstanding warrants, the sum of $3,052 58. To which add the unpaid balance due on loans authorized by law, Amounting, principal and interest, to $6,628 01, And the total indebtedness of the Territory stands at $9,680 59. This Amount includes every debt due from the treasury of the Territory of which any record can be found, and it is, therefore, assumed to be Correct. There is still due from various Collectors of the revenue of the Territory, the sum of $3,161 62, of which it is presumed that there will eventually be collected $2,371 22, leaving a total deficit to be provided for of $7,309 37.

The law authorizing the licensing of gambling houses, has produced no revenue during the past year, and as the policy of deriving revenue from such a source is, to say the least of it very doubtful. I would unhesitatingly recommend its repeal. If the heavy taxes imposed upon such establishments, tended to the suppression of this baneful and demoralizing vice, I should hesitate to recommend this Course, but as it is evident that no such effect is produced, I would recommend the imposition of heavy penalties upon all who indulge in it.

It is Apprehended that the law does not impose sufficient checks upon the Sheriffs in the Collection and rendition of their accounts of the revenue derivable from licenses, And I would recommend an amendment in that particular. Applicants for licenses should be required to pay to the Sheriff of the Country, the Amount of the tax imposed, and take his receipt for the same, and then the prefect should issue the license, and preserve the Sheriff's receipt as evidence against him in the settlement of his accounts.

The right of suffrage is a privilege held dear by every American freeman, and great Care should be had that this inestimable right be not abused or trenched upon by such as are not legally entitled to its exercise, it being a clear proposition that every illegal vote nutralizes one that is legal. I would, therefore, recommend a Careful revision of the election laws, and that Care should be taken to render its provisions so Clear and explicit, as to secure to each and every legal voter the full exercise of his rights, whilst all others shall be excluded without Cavil or doubt. It is important that this law be made so explicit, if possible, as not to admit of a doubt as to who is, and who is not, a legal voter, and so Clear that returning officers of elections Cannot mistake the legal manner of making returns. It appears that in some parts of the Territory the Pueblo Indians were permitted to vote at the late election, whilst in other parts they were excluded: and I would recommend express legislative action upon this point. The subject of the election laws is recommended to your serious Consideration, because of its intrinsic importance, and because a well grounded opinion prevails that a fair expression of the public will is not had through the ballot box.

Territory New Mex

December 6 I apprehend that the penal laws may
and I would respectfully suggest that a
with a view, not only to the protection of the
punishment of the guilty, but also to the rights
When fines are imposed as a punishment for mine
be, in my judgment, some limit fixed to the term of
the event of a failure to pay such fine; and the length
imprisonment should be graduated to the amount of the
As an additional reason for taking this subject under your
advisement, I take the liberty of stating the fact of my having
the pardoning power, vested in the Governor by the Organic law,
favor of an individual who had been incarcerated, in one of the jails
of the Territory, for a period of five years, in consequence of his inabi-
lity to pay a fine of fifty dollars. Without the exercise of the executive
clemency, and without the ability to pay his fine, there was no limit to
this man's imprisonment short of the period of his natural life. If the
offence committed, only required the imposition of a fine of fifty dollars,
surely his failure to pay could not require that he should be imprison-
ned for life. Again, under such a sistem of laws, the punishment
inflicted upon one who commits a trivial offence, and upon whom a
limited fine is imposed, may become as great as that of another who
is guilty of an offence of a much higher grade, and upon whom a
much larger fine is deservedly assessed, because if both be unable to
pay their fines, then the imprisonment of each may be without limit.

In this connection, your attention is respectfully called to the condition
of the public jails of the several Counties of the Territory, many of which
as I am informed, are insufficient for the safe custody of prisoners. It
must be obvious to all reflecting minds, that the laws cannot be
enforced, and that crimes and disorders must go without punishments
unless there be good and sufficient jails for the safe keeping of such
as may be apprehended for breaches of the penal laws. And it is
equally obvious, that where one County does provide a good and sufficie-
ent prison, and another County fails to do so, that even-handed justice
cannot be administered alike to all parts of the Territory. In addition
to all this, it should be borne in mind that a want of security in the
Common jails, tends to acts of violence and blood. The vicious, presuming
upon the probabilities of escape, loose all salutary fears of punishment
and hence are encouraged in the commission of crime, whilst the mass
of the community are stimulated to take the execution of the laws into
their own hands, under the impression that these probabilities of
escape may be realized.

I would also invite your attention to the Condition of the prisoners
Confined in jail, as I am informed that some of the Co
failed to make adequate provision for their subsistence

Another important Consideration Concer
of justice is, the manner of selecting jur
jury system is obnoctious

December. 6 the power of influencing the course of justice by the selection of either the grand or petty juries; no good man would desire such a power, and, when wielded by a bad one, it may become the worst species of oppresion. Nothing can be more desirable to a community than that the stream of justice should flow with an even current pure and undefiled; and if possible, every litigant should be made to feel, on leaving a court of justice, whether successful or not, a consciousness of having had a fair and impartial trial.

As a remedy, I would suggest that the jury laws be so amended as to take the selection of jurors entirely from the Officers of the Courts; and on the adjournment of every Court, the judge thereof be required to appoint three disinterested commissioners, whose duty it should be to meet at the Court house of the County at least thirty days before the next succeeding term of the Court, and select one hundred competent jurors, from whom the requisite number should be drawn by lot.

As this community is composed of citizens speaking different languages the necessity of having the laws printed in both English and Spanish is perfectly apparent; but the necessity of having correct translations is equally apparent. And having ascertained that important discrepancies exist in the laws, as printed on the statute book, in the two different languages, I would recommend an entire revision with the view to the Correcting of this evil.

At the last session of the Congress of the United States, an appropriation was made by that body for the purchase of a site and erection of a penitentiary within this Territory, and as the money appropriated was placed at the disposition of the President of the United States, I have taken the liberty of addressing him a communication upon the subject. An answer to this communication may reasonably be expected before the final adjournment of the present session of the Legislative Assembly, and if so, such answer will be promptly communicated to your honorable body, with a view to legislative action if necessary. It is to be hoped, therefore, that the time is not far distant when an institution so necessary will be established within the Territory.

Subsequent to the close of the last session of the Legislative Assembly, the board of commissioners of public buildings have selected a site and commenced the erection of a State house, amply sufficient for the accommodation of both Houses of the Legislative Assembly, and the various Officers connected with the Territorial government, including the Supreme and district Courts. A plan or draught of this building, together with the proceedings of the Commissioners, and estimates of the amount of money necessary to its completion, are herewith transmitted for your better information.

As this Territory has not its destiny in its own hands, but is dependent upon the general government in many particulars, for its [illegible] and [illegible] assured of the

December 6. paternal regard which is entertained for
that government, I respectfully recommend
memorialize Congress on the following s
1st In favor of an appropriation in money for
in lieu of the 16th and 36th sections of public lands hel
2nd In favor of a removal of the wild Indians to a more r
our frontier settlements.

3rd In favor of raising a regiment of volunteers for the protection
settlements; to be paid, armed and equipped by the general govern

4th In favor of the creation of a board of Commissioners, authorized to settle
claims in the Territory, similar to that established in the State of California

5th In favor of an early survey and sale of the public lands in New Mexico.

6th In favor of grants of the public lands to actual settlers thereon, such
as has been made in the Territory of Oregon.

7th In favor of a geological survey of the Territory of New Mexico, such
as was made of the Lake Superior country.

8th In favor of an appropriation to pay for the recording and preservation
of the Ancient archives and land titles of New Mexico.

9th In favor of an appropriation for the construction and improvement
of roads leading to and through the Territory, similar to the appropriation
heretofore made to the Territories of Oregon and Minnesota.

10th In favor of a speedy and liberal appropriation for the completion
of the public buildings of the Territory.

11th In favor of an appropriation for the construction of artesian wells,
and particularly on the road from Fray Cristoval to Roblido, where it
traverses the great jornada.

12th In favor of a depot of arms and ammunition within the Territory for
the use of the Militia when called into service for the purpose of assisting
in the suppression of Indian hostilities, or to repel invasion.

13th In favor of a semi-monthly mail from Independence to Santa Fé, and
other parts of the Territory, instead of the present monthly mail.

14th in favor of such an amendment of the Organic law as will
authorize the Legislative Assembly to confer on that portion of the population
who have elected to retain the character of Mexican Citizens, the right of
voting, on filing their declarations of intention to become American Citizens.

15th Against the policy of removing the Indian tribes of Texas, Cali-
fornia, or any other State or Territory, and their settlement within the
limits of New Mexico.

The Pacific railroad engrosses a large portion of the public attention
throughout the nation, and whilst other sections are straining every nerv
to secure to themselves the advantages to be derived from its location
am sorry to say that New Mexico is making no effort in
behalf. To other parts of the Confederacy the location of this
highway will add additional prosperity and greatness; to
great fountain from which must flow all our grandeur
rity. To them it is a matter of secondary interest
of primary importan

under to help themselves, and are striving manfully to deserve her smiles; we are standing still, hoping to obtain her blessings without making an effort worthy of success. They are expending large sums of money in developing the practicability of the routes most favorable to their interests; but we have no expended one dollar for a like purpose in our own behalf. Destitute as this Territory is of navigable streams, and possessing the vast mineral wealth which is known to be deposited in her mountains, it is believed that no country is more dependent upon railroad communication for the development of its resources.

Several exploring parties organized by the general government, for ascertaining the most practicable route across the Continent, have recently traversed the Territory. The State of Texas is also understood to have a party in the field, with a similar object in view, and private enterprise is directing its attention in a more northerly direction. I would, therefore, recommend that the Legislative Assembly authorize the organization of an exploring party, for the purpose of examining the various passes through the mountains lying between our frontier settlements and those of California, at as early a day as practicable. This recommendation is made with a confident belief that the superior knowledge possessed by this people of the topography of the Country, and the vast interest which New Mexico has at stake, will fully justify the expenditure necessary to carry it out.

In Conclusion, Gentlemen, allow me to hope that your deliberations may be characterized by the utmost harmony and good feeling, and that your labors may result in honor to yourselves and profit to your Constituents; and allow me to assure you of my Cordial co-operation in all well digested measures tending to promote the honor and interest of our common Country.

D. Meriwether.

Santa Fé December 5, 1853.

December 7. The Governor this day received and accepted the resignation of Charles Blummer Treasurer of the Territory

December 14. The Governor this day wrote a letter to the Hon. William L. Marcy enclosing a copy of a despatch received by Genl. Garland from Mr. Gadsden the American Minister in Mexico relative to the management of Indian Affairs in this Territory. and in reply to the same. See Letter Book page 18.

December 15. The Governor this day wrote a letter to the Hon. Wm. L. Marcy Enclosing a Sketch of the Mesilla Valley made by. Colo Mansfield Inspector General of the U.S. Army & also advising of the demand made by the U.S. Marshall of this Territory by order of the Court. on the authorities of the Mesilla valley for the arrest of the murderer of the Indian Chief. Cuentas Azules and of the refusal of the said authorities to surrender him See letter book page 19.

Territory of New Mexic

December 17. The Governor this day approved entitled "An Act to establish a co in the County of Doña Ana."

December 22. The Governor this day received and a of David V. Whiting Notary Public for the

December 22. The Governor this day received and acceptan of Milnor Rudulph. Notary Public for the Count

December 23 The Governor this day appointed Charles B. Cla Public for the County of Bernalillo.

December 23. The Governor this day appointed Milnor Rudulph is Office of Notary Public for the County of Bernalillo.

December 30 The Governor this day wrote a letter to the Hon Wm L. Marcy enclosing a certificate from the Sheriff of Doña Ana County giving information of an attack made by James Magoffin and the Sheriff of the County of El Paso in the State of Texas on a portion of the inhabitants of Doña Ana County in this Ter

1854 ritory, who were returning from the Salt lakes with Salt.

January. 3. The Governor this day approved and signed a Joint Resolution of the two Houses of the Legislative Assembly relative to the National Flag.

January 3. The Governor this day approved and signed an enrolled Bill entitled. "An Act to repeal an Act. to regulate proceed ings of Judges. Sheriffs & Constables against Drunkards. prostitutes and pimps in their various classes.

January 13

Executive Department
Santa Fe January 13th 1854

Joab Houghton Esq
Francisco Ortiz y Delgado Esq
Manuel Alvarez Esq.
Preston Beck Jr. Esq.

The appropriation heretofore made by the Congress of the United States for the erection of Public Buildings in this Territory having been expended and it being probable that no further appropriation will be made for some time to come your services as Commissioners of Public Buildings will be dispensed with from and after the 15th. inst.

Respectfully Yours &c
D. Meriwether
Gov. of New Mexico

January 14 The Governor this day wrote a letter to James Magoffin in Texas. relative to the difficulty existing between and the people of the County of Doña Ana

January 21 The Governor this day approved and signed an enrolled entitled An Act to change the County Seat of the Co of Bernalillo

Territory of New Mexico January 21st 1854

January 21. The Governor this day approved and signed a Memorial of the Legislative Assembly to The Hon. Senate and House of Representatives in Congress assembled. on the subject of opening a Road from Santa Fe to Don Fernandez of Taos County.
Also a Joint Resolution of the Council & House of Representatives of this Territory, instructing our Delegate in Congress to use his best endeavors to obtain the establishment of a Post Route from Independence Missouri through the city of Santa Fe & thence on to San Francisco California. Also a Joint Resolution by the Council and House of Representatives of this Territory. requesting the Governor to send a correct copy of Memorials, passed and approved at this Session of the Legislative Assembly. to the Hon. Jose Manuel Gallegos. our Delegate in Congress. The President of the Senate and House of Representatives of the Congress of the United States, & one copy each. to His Excellency Franklin Pierce, President of the United States of America

January 23

Executive Office.
Santa Fé, January 23d 1854.

To the Hon. Theodore D. Wheaton,
Speaker of the House of Representatives

Sir; I have the honor, through you to acknowledge the reception of a copy of a Resolution which passed the House of Representatives, on the 19th inst; which is in the following words viz:

"Resolved by the House of Representatives of the Territory of New Mexico, That we consider the actual Translator to be incapable of discharging the duties of his office as Translator, And for this reason, the Legislature cannot proceed in their labors. Be it further Resolved,- That it is the opinion of the House of Representatives that said Translator should be removed, and David V. Whiting appointed in his place, as the only person in this Territory capable of discharging the duties of Translator. Be it further Resolved. That a copy of this Resolution be sent to His Excellency the Governor"

From the scope of this Resolution, I infer that the Legislative Assembly, or the House of Representatives have a Translator, with the labors of whom they, or such of the Members of the House as may have voted for the Resolution are not satisfied; that it is desired that the Governor shall remove this Officer, And appoint Mr D. V. Whiting in his place, If it is true that the Resolution does not, in so many words, request the Governor to make this removal and appointment. but unless such was the object of the Resolution, it is difficult to see the reason for directing a copy to be sent to him. If I am correct in the construction which has been placed upon this Resolution, then it becomes necessary to look into the powers of the Governor, to act in the premisses, which I will proceed to do, as briefly as the nature of the case will admit. The Act of Congress, approved March 3d 1853, which is the only law of that Territory which authorizes the appointment of a Translator for [illegible]

Territory of New Mex

January 23 words: "Be it enacted by the Senate and
States of America in Congress assembled, That
Territory of New Mexico shall hereafter have
as a translator and interpreter, and two clerks
ber they are now authorized to employ, for each ses-
session; and that the accounts and charges, for said
interpreter, and clerks, shall be audited and settled in
ner, and upon the same principle, as is provided by law, fo
and settling the accounts and charges of other and similar
and attendants of said Assembly."

Now, one of the great Conservative principles of our happy form of government, is to be found in its division, into three separate Departments viz: the Legislative, Executive, and Judiciary, and that provision which prohibits, one Department from exercising any of the powers, properly belonging to another Keeping in view this great and fundimental principle, as well as the provisions of the above recited law, the following questions naturally arise. Where is the power of appointing a Translator to the Legislative Assembly, or the House of Representatives vested? If the Legislative Assembly, or either House thereof, shall appoint a Translator, has the Governor power to remove such officer and appoint another in his place? To my mind, the answer to these questions is too clear and palpable, to admit of a doubt, and the conclusion to which I have arrived is, that the power of appointing a Translator is vested, either in the two Houses of the Legislative Assembly, jointly, or in either House, separately, and it is not necessary for me to enquire which; and that the Governor has no authority to interfere in any way whatever. If, then, the appointing power be not vested in the Governor, but in a coordinate Department of the Government, it follows as a clear proposition, that he has no power to remove an incumbent, notwithstanding the request of the coordinate Department, or a portion thereof.

As it becomes my duty to guard with a watchful eye the powers vested in the Department over which I have been appointed to preside, and see that no other Department, shall assume its powers; and as I intend faithfully to discharge this duty, it becomes doubly necessary that I should guard myself, and see that I do not infringe upon the powers assigned to others. Entertaining, as I do, every possible disposition to comply with the wishes of the Legislative Assembly, or either branch thereof, when this can be done Consistently with the public good and the legal powers vested in the Governor, but being clearly of opinion that any action on my part, such as I infer to be implied by the foregoing Resolution, would be an assumption of power not vested in the Governor, but in the Legislative Assembly, jointly, or either House thereof, separately, I feel constrained to decline acceding to the wishes which are implied in the Resolution. The Cordial respect which is entertained for the Houses, collectively, and each member thereof, individually, induces me to make one other suggestion. If

Territory of New Mexico January 23d 1854

January 23 Appoint, one Officer of the Legislative Assembly, or an Officer of either House thereof, at the request of one, or both Houses, then he has power to remove any other Officer of either or both Houses which is authorized by the foregoing Act of Congress, without such request, for it is respectfully submitted, that the request on the part of the House of Representatives adds nothing to the power of the Governor. Should the present Governor, then, exercise the power of removing this Officer, as is infered - this Resolution requests him to do, may it not be quoted as a precedent, to justify the present Executive Officer of the Territory or his successor, in the removal of some other Officer, of the Legislative Assembly, or either of the two Houses thereof.

In Conclusion Sir, I respectfully request that this Communication may be laid before the House over which you preside.

With high regard
Your Obdt. Servt.
D. Meriwether

January 25 The Governor this day approved and Signed an Enrolled Bill entitled An Act Authorizing the Governor to make certain appointments during the recess of the Legislative Assembly

January 28 The Governor this day wrote a letter to the Hon. Elisha Whittlesey First Comptroller of the U.S. Treasury relative to the payment of Services of a person employed in the Executive Department of this Territory as Translator and Interpreter. Letter B.p.25

January 29 The Governor this day sent the following Message to the two Houses of the Legislative Assembly of this Territory

Gentlemen of the Council
and House of Representatives

Much doubt exists in the minds of those whose opinions are entitled to great weight as well as my own, as to whether the acts passed at the session of the Legislature held in the year 1847, which are found printed on the Statute books of the Territory are in force or not, and I beg to call your attention to the subject. These acts were passed at a Session of the Legislature - held under the military government, which existed in New Mexico previous to the establishment of a Territorial government by the Congress of the United States, and I can find no Statute of the Legislative Assembly, since the creation of the Territorial government, recognizing, or giving force and effect to them. Then the question arises as to whether these acts have any force and effect, without some act of the Legislative Assembly, passed since the creation of a Territorial government, by Congress.

Many of these Acts of 1847 are highly important ones, and if the courts should decide that they are in force, the passage of an act by the present Legislative Assembly, declaring them to be in force will do no harm. on the Contrary should the courts be of opinion that they are void then it becomes highly important that such an act should be passed as soon as practicable. I therefore respectfully recommend the passage of an act declaring all laws passed at the Session of 1847 now found printed on the Statute books, and not heretofore repealed, in full force and effect

Geo. Jr. 99 195 D. Meriwether

Territory of New Mexico

January 30. The Governor this day wrote a ltr to Secretary of the Treasury relative to ... sioners of Public Buildings in this Territ attention to the appropriation made by C. of a Penetentiary in this Territory. See letter

January 31. The Governor this day approved and signed a ... of the Council and House of Representatives of the ... New Mexico directing the Secretary of the Territory ... the Journals of the Assembly printed.

February 1. The Governor this day nominated to the Council Chas. ... H. Spencer as Treasurer of the Territory

February 1 The Governor this day approved and signed the following ... described Enrolled Bills viz

"An Act. entitled An Act. Para Castigar Fraudes de Falsos ... Juestos como de alquileses. o Prestamos y falta de confianza

" Un Acto. Para el pago de Don Pablo Melendrez "

" Un Acto. Proveyendo. por Recintos. adicionales en El Condado de Taos "

" Un Acto. Titulado un Decreto. Para el alivio de Jose Gutierrez. reciente Coronario del Condado de Santa Fe"

"Un Acto tocante alas Lagunas de Sal"

"Un Acto Proveyendo tres demarcaciones adicionales para tres Jueces de Paz y dos Aguaciles en el Condado de Valencias"

February 2. The Governor this day approved and signed the following Joint Resolutions of the Legislative Assembly of the Terty.

"That the Legislative Assembly close its Session at Six Oclock P. M. on the second day of February. 1854."

"A Joint Resolution inviting Brvt. Brig. General Garland to visit the two Houses of the Assembly during its Session"

February 3. The Governor this day approved and signed the following described Enrolled Bills viz

"An Act To repeal the Act entitled an Act defining Robberies and thefts and the punishment thereof"

"An Act creating the New Mexican Mining Company"

"An Act. for the benefit of the inhabitants of the Plaza of the Pueblo of the County of San Miguel and for other purposes"

"An Act. For the relief of R. M. Stephens late Sheriff of the County of Santa Fe"

"An Act. to incorporate the Santa Fe Artesian Company"

"An Act. Prescribing the offence and fixing the punishment for the retention of public records."

Territory of New Mexico Feby 3d 1857

Feby 3 The Governor this day signed and approved a "Memorial of the Assembly to the Congress of the United States asking that the Wild Indians in this Territory be further removed from the Settlements, and that fixed limits & lands be allotted to them"

"Also a Memorial to congress asking for a geological Survey of this Territory"

"Also a Memorial to Congress, asking for an appropriation, to establish three Artesian Wells on the Jornada del Muerto"

February 4 The Governor this day approved and signed the following Acts of the Assembly of this Territory viz

"Un Acto Para mudar la Cabezera del Condado de Socorro"

"Un Acto Relativo al servicio de un proceso cuando El Alguacilo Mayor no esta legalmente calificado para hacerlo"

"Un Acto Para el alivio de Alguacil desante del Condado del Socorro Jose Apodaco"

Also the following Memorials to Congress.

"asking grants of Lands to actual Settlers in this Territory also" "asking additional appropriations for the completion of the Public Buildings in this Territory"

Also "asking for the re establishment of the Fort Atkinson on the Arkansas River"

Also asking for an appropriation for the preservation of the "Records of the Territory of New Mexico"

Also "Joint Resolution of the Assembly, that Congress be memorialized to appropriate forty Thousand Dollars to build two Bridges over the Rio del Norte in this Territory."

Also a Joint Resolution of the Assembly for the relief of H. H. Dickenson"

February 4 The Governor this day by and with the advice and consent of the Council, Commissioned Charles H. Spencer to be Treasurer of this Territory

February 6. The Governor this day commissioned Antonio Lovato to be Constable for the County of Santa Fe

by 6. The Governor this day approved and signed the following described Acts of the Assembly

"Un Acto Para establecer Una Feria en la Villa de Alburquerque en el Condado de Bernalillo"

"Un Acto Por el beneficio de Lorenzo Labadi "desante Aguacil Mayor de Condado de Valencia"

"Un Act incorporating the fraternidad de la orden de Los antiguos Libres y aceptados Masones del Territorio de Nuevo Mejico"

Territory of New Mexico

February 6 The Governor this day appro
of the Assembly Entitled An
Ana Feria Anual en la Plaza
del Mismo nombre.

February 7 The Governor this day approved and
of the Assembly entitled An Acto. Pa
el modo de elejir el Gran y pequeño Ju
señalando sus deberes.

February 7. The Governor this day administered the oath
to Charles L. Spencer as Treasurer of this Territo
and approved his Official Bond.

February 9. The Governor this day approved and signed the
following described Enrolled Bills of the Assembly. viz
"An Acto. Autorizando al Gobernador para nombra
alguna persona para revisar y corejir las Leyes
de Nuevo Mexico y para proveer medios para
imprimir las mismas."
"Un Acto Para arreglar los procedimientos en
la Corte Suprema"

February 10 The Governor this day approved and signed
"An Act of the Assembly entitled An Acto
Autorizando. Al Presidente del Consejo. Legislativo
y Al Presidente de la Camara del Representantes
del Territorio del Nuevo Mexico de firmar ciertos
proyectos despues de la prorroga final de la
Asamblea Legislativa"
Also a "Joint Resolution, For the relief of Juan Secan"

February 15 The Governor this day approved and signed the following Acts
of the Assembly viz
An Act entitled. "Un Acto señalando crimenes y castigos"
"Un Acto, titulado proveyendo cuatro precinctos Adicionales
Judiciales en el Condado de San Miguel en lugar de ocho
como anteriormente eran doce"

February 16. The Governor this day approved and signed An Act of the
Assembly entitled
"Un Acto enmendando la ley de elecciones aprovada
Julio 20. de 1851"
"Un Acto. declarando jurisdiction a los Prefectos y Juezes de Pa
para castigar a los Hijos de Familia. que faltan al respeto
a los Padres. que los tienen bajo la patria potestad"

February 18 The Governor this day Commissioned Wm S. Gourley to
the Office of Notary Public for the County of Doña Ana

February 22. The Governor this day sent a communication to the Hon
Marcy Secretary of State relative to the charges made by
bers of the House of Representatives against the Secretary of Ma
for refusing to give up the Key of the Hall after the pa
of the Legislative Assembly

Territory of New Mexico February 24th 1853.

January 24 The Governor this day pardoned Juan Lorenzo Sanchez convicted of larceny and held in Jail for not having paid the Costs of the Prosecution and Jail fees on Judgment rendered before Justice John Henry Mink.

INDEXED

February 25th.

Territory of New Mexico }
County of Santa Fe. } ss

I James S. Davenport Chief Justice of the Supreme Court of the Territory of New Mexico do hereby Certify that on the tenth day of December A.D. Eighteen hundred and fifty-three, Charles Blummer personally appeared before me and in my presence was duly sworn to the following oath of Office to wit.

Territory of New Mexico }
County of Santa Fe. } ss

~~by swear~~ I Charles Blummer do Solemnly Swear that I will faithfully execute all lawful process directed to the Marshall of the Territory of New Mexico, under the authority of the United States and true return make, and in all things well and truly and without malice or partiality perform the duties of the Office of Marshal of the Territory of New Mexico during my continuance in said Office and take only my lawful fees. So help me God

Charles Blummer

In testimony whereof I have hereunto set my hand and Seal this 10th day of December A.D. 1853.

J. S. Davenport.
Chief Justice New Mexico

February 25 Duplicate
Santa Fe N.M. February 25th 1854

Sir

I have received the following Treasury Draft payable to my order by the Asst. Treasurer U.S. at Saint Louis Mo. No. 6090 on Ter. Int. Warrant No. 6693 for $12.000 -

Your Obdt. Servt
Charles Blummer
U.S. Marshal
for the Terry. New Mexico

May 27 The Governor this day wrote a letter to Hon Samuel Casey Treasurer of the U.S. on the subject of the above described draft. see Letter Book page 36.

" 27 The Governor this day wrote a letter to the Hon. Elisha Whittlesey Acct Comptroller of the Treasury on the subject of the above described draft. see Letter Book page 37.

Tenitory of New Mx.

March 1st The Governor this day received an
A Hubbell. District Attorney for the
Territory

March. 14 The Governor this day pardoned Matias
the jail of the County of Santa Fe having been
charge of Vagrancy.

March 18. The Governor this day appointed and Commissioned
de Selding of Washington City D. C. Commissioner
acknowledgement of deeds and other instruments of
in the District of Columbia. for the Territory of New Mexico

March 18. The Governor this day appointed Maximo P. de Rioboo. of
Pensacola. Florida. Commissioner to take the acknowledgement
of deeds. and other instruments of writing in the State of Florida
for the Territory of New Mexico.

March 18 The Governor this day sent the following Communication &
with accompanying documents to the First Auditor of the U.S.
Treasury.

March 20

Executive Department
Territory of New Mexico
Santa Fe March 20th 1852

To the Hon First Auditor
of the United States Treasury

Sir

I have the honor herewith
to transmit Account Current. Abstract and Vouchers. for disbur-
ments of funds appropriated by Congress, to defray the Contin-
gent Expenses of the Executive Department of this Territory. and
would respectfully request an acknowledgement of the recep-
tion of the same

I have the honor to be
Respectfully Your. Obt Servt
David Meriwether
~~W. W. Mills~~ Gov. Terry. N.M.

March 20. Governor David Meriwether. this day left for the Seat of
Government of this Territory, on a leave of absence obtained from
the Department of State at Washington, Leaving ~~on~~ William
S. Messervy Secretary of the Territory in Charge of the Executive Department. as pro-
vided for by the Organic Act of this Territory.

Santa Fe Territory of New Mexico

Record of the Acts and proceedings of Acting Governor William S Messervy in his Executive Department.

March 20. The Governor this day commissioned Prudencio Lopez Sheriff for the County of San Miguel in the place of Antonio Baca y Baca, resigned.

March 20 The Governor this day commissioned Francisco Bustamante Justice of the Place for the County of Santa Fe.

March 23 Executive Office of the Territory of New Mexico.

Whereas Jesus Arambulo y Salcoa has filed in this office a Petition, to the effect, that one Nesus Lucero purchased him of the Indians in the month of April last and under said purchase claims him as his Slave" and that the said Lucero, having mistreated and otherwise maltreated him in the month of August last he left the said Lucero & went to live in Manzana where he now resides, that a few days since the said Lucero went to Manzana and claimed him of the Alcalde, He now appeals to the Executive of this Territory for the protection of his liberty. Therefore by these presents, I William S Messervy acting Governor of the Territory of New Mexico, call upon all the civil officers of the Government of this Territory to give aid and protection to the said Arambulo, that he may not be deprived of his liberty, in any way form or manner, except by regular process of Law for Crimes committed against the laws of the land or in such other cases as may be provided by Law.

Santa Fe March 23rd 1854

William S Messervy
Acting Governor of the
Territory of New Mexico.

March 25

Executive Department
Territory of New Mexico
Santa Fe March 25th 1854

Whereas the Superintendent & Commissioners of Public Buildings for the Territory having been removed, and a large amount of Public Property pertaining to the said Commission is scattered in various parts of this city, with no person to take charge of or be responsible for the same, You are therefore hereby appointed to collect and receive and take

Santa Fe Territory of

the same, until such time as
or commission shall be appointed
will be twenty five dollars per mon
date of the removal of said Superintd
and to continue until a new commissi
ointed - to be paid out of the first money
Congress for the completion of said Public build
however to the approval of the commission to be ap
and the First Comptr. of the U.S. Treasury.

You will file in the Secretary's Office of this Terr
your Bond & securities, for the faithful performance of your
duties in the sum of Five thousand dollars, to be approved
by the Executive of this Territory,

Hon J. Houghton
Santa Fe N.Mx.

By Wm. Shepherd
Acting Gov. Terry N Mexico

April 1st

Executive Office of the
Territory of New Mexico
Santa Fe April 1st 1854

Don Jose Maria Chaves
Judge of Probate
County of Rio Arriba

Sir

Juan Felipe Salazar of
Abiquiu has this day entered a complaint at this of-
fice, that Don Tomas Cabeza de Baca has made a dema
nd upon you, to deliver to him, the child of said Salazar
a boy of about the age of fourteen years, named Antonio
Domingo Salazar, That the said Baca claims said boy
as his property by right of purchase of the Navajo Indi-
ans - the said Navajo Indians, having purchased the
said boy of the Utaw Indians, who captured him, about
three years since, and that you are inclined to take
the said Boy from the protection & care of his Pa-
rents and deliver him to the said Baca, who claims
him as his property. If such are the facts it is my
duty to inform you, that no white person can be held
as property in this Territory by reason of purchase
from Indians, who had previously held him as a
captive, and that the said Baca has no claim
right in said Boy by virtue of having purchased
him of the Navajoes, That the Boy belongs to the
under the care and protection of his parents
I hereby call on you & all of the civil officers of this
Territory, to protect the said Boy in
all that he

Santa Fe Territory of New Mexico April 1st

Parents – except in such cases as may be punished by law for offences committed against the laws of the land, or of this Territory.

Wm S Messervy
Acting Gov. Terry New Mexico

April 10

Proclamation

Executive Office
Santa Fe N.M. April 10th 1854

Whereas the tribe of Indians, known as the Jicarilla Apaches, have made aggression, and commenced hostilities against the Government of the United States;

And whereas, the Executive of this Territory has been informed that divers persons hold constant intercourse with the said tribe of Jicarilla Apaches, in violation of the laws of the United States, and also furnish them with lead, powder, and other means to carry on war, and thereby give aid and assistance to the enemy;

Therefore I William S. Messervy, acting Governor and Superintendent of Indian Affairs, for the Territory of New Mexico warn and forbid all persons either Americans or Mexicans, Pueblo, or other Indians, remaining at peace with the United States, to hold any communication whatever with said tribe of Indians, directly or indirectly, but to abstain from all intercourse with them. All persons who shall act in violation of this Proclamation will be considered enemies of the United States, and if apprehended, will be punished with the utmost rigor, and to the very extent of the law; and if any of the persons above named shall be caught in communication with the said Indians, they will be treated in the same manner as the Indians themselves and punished in the most summary manner.

All good citizens of this Territory are hereby required to aid the Executive in putting in force the provisions of this Proclamation; and are called upon to give information to this Department, of all persons who act contrary thereto.

The attention of all persons, to whom this may concern is called to the following articles of war, which will be enforced against all offenders.

"Article 56. Whoever shall receive the enemy with money, victuals, or ammunition, or shall knowingly harbor or protect an enemy, shall suffer death, or such other punishment as shall be inflicted by the sentence

Santa Fe Territory of

"Article 57. Whoever shall be
dence made, or giving intelligence
ly or indirectly, shall suffer death
ment as shall be ordered by the Legis
tive."

"Approved April 10, 1856"

"William S. Allen
Acting Governor and
Indian Ag

April 22 The Governor this day commissioned Rafael Romero
y Baca, Justice of the Peace for the County of Santa Fe.

April 28 The Governor this day commissioned George T. Angell Com-
missioner to take the acknowledgements of Deeds and
other instruments of writing for the Territory of New
Mexico.

April 28 The Governor this day commissioned William Mc
Gorty, Notary Public for the County of Doña Ana.

May 13 The Governor this day commissioned Charles P. Clever,
Notary Public for the County of Santa Fe.

May 15

Executive Department
Santa Fe New Mexico
May 15th 1854.

Hon José Maria Chavez
Judge of Probate, County of Rio Arriba.
Sir:

In answer to your communication
under date 11th. inst. I would inform you, that the people
cannot be compelled to render the service mentioned in your
letter and in case the should make any expedition against
the Indians, it must be by their own voluntary act. The peo-
ple who have refused to aid those persons that have had
their property stolen by the Indians, may perhaps have
theirs taken in the same manner, and then they will
see the great necessity of mutual aid.

The Executive Department cannot render any
assistance to that frontier until information is receiv
from the General Commanding, that he is not able
chastise and check the invasions of the Indians and
thus protect the inhabitants from the depredations
the same, even then, there would be great difficu
in giving protection to that frontier, in
of the want of organization of, and armament
the militia.

Williams

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Santa Fé Territory of New Mexico

May 19th

Military Order No 1.

Head Quarters of Militia
Territory of New Mexico
Adjutants Generals Office
May 19th 1854

To

José Maria Chavez

Brigadier General second brigade first division of Militia, of the Territory of New Mexico.

Whereas satisfactory information has been received by me, that hostile invasions have been made into your district and other districts of said Territory contiguous thereto, and that said districts and part of said Territory are now threatened with an invasion by a tribe of Indians called Jacarilla Apaches now at war with the United States.

You are therefore hereby commanded to detail from the Militia already organized in your said district, two hundred men, and report the same to this office, in the shortest practicable time— and you will hold yourself and them in readiness at such place or places as you may deem sufficient to repel any invasion or invasions threatened or made by said Indians and if practicable you will pursue them into whatever parts of said Territory they may flee.

You will also from time to time report the movements and condition of your said command to this office.

By order of the Governor
Facundo Pino
Adjt Genl of Militia
Territory of New Mexico

Wm. S. Messervy
Actg Governor and Comdr in
Chief of the Militia
Terry New Mexico.

May 20th

Executive Office
Territory of New Mexico
Santa Fé May 20th 1854

Don Francisco Lopez
Pro tem Judge of the County
of San Miguel.

Sir:

I am in receipt of your communication of the 19th inst, and notify you in reply that I have directed Brig. Genl Manuel Herrera, to call into service, two hundred men of the Militia, to aid and protect your county against the invasion of the Indians ~~to protect that~~ ~~county~~ ~~against the~~ ~~invasion~~ ~~of the Indians~~ ~~Jacarilla~~ to

Santa Fé Territory

to the people, the security of life and property, and furthermore I do the powers conferred upon you by law, to refuse to render said service.

Also you will please represent to the people the great necessity of defending themselves against the Indians, and that in addition to the force of the each town, village and settlement should organize themselves be ready to repulse any invasion of the savages, for the better protection and security of their families.

Very Respectfully
Your Ob't Serv't
Wm. L. Murphy
Acting Gov. Territory New Mexico

May 20th Military Order No 2.

Territory of New Mexico
Head Quarters of Militia
Adjutant General's Office
May 20th 1852

To
Manuel Herrera
Brigadier General, second brigade, second division of Militia Territory of New Mexico.

Whereas satisfactory information has been received by me that hostile incursions have been made into your District and other districts of said Territory contiguous thereto, and that said district and other parts of said Territory are now threatened with an invasion by a tribe of Indians called Jicarilla Apaches - now at war with the United States.

You are therefore hereby commanded to detail from the Militia of your said District two hundred efficient men armed and equipped as well as circumstances will admit, and when thus detailed you will send them to such place or places as you may deem expedient to repel any invasions, threatened or made by said Indians. In the organization of the detachment you will select such men as are best qualified and place them in the subordinate positions and commands - and when thus organized you will report the names of those occupying said subordinate positions to me, to be commissioned, and in the mean time they will perform the duties of their said positions and commands as if regularly commissioned.

You will confine your operations to your Southern districts of the Territory - You will also from time to time report the movements and condition of your said to this Office.

By order of the Governor
Facundo Pino A.A.G.

Wm. L. Murphy
Acting Gov

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Santa Fe Territory of New Mexico.

May 20th

Executive Department
Territory of New Mexico
Santa Fe May 20th 1864.

Genl John Garland
Comdg 9th Inft. Dept.
"near El Paso"

Sir

I avail myself of this opportunity most respectfully to request, if compatible with your duties and engagements near El Paso, that you would delay as little as possible your return to this city. Our Indian relations are becoming every day more and more embarassing our frontier settlements, are daily visited by the depredations in small parties who rob and murder the inhabitants.

The robberies & murders on the frontiers of San Miguel County are said to be done principally by the Mescalero Apaches, whilst those perpetrated on the frontier of Rio Arriba County, are confined exclusively to the Jicarilla Apaches.

On the 16th inst Mr. Head Special Indian Agent brought to this city, four Jicarilla Indians & one child, who were captured near "Rito" by the Alcalde of that place. Mr Head started with six Indians but the Chief of the party & his wife attempted to escape & were drowned in the Rio de Norte in the attempt.

I have placed the prisoners over to Capt. Cowell who will take good care of them until such time as they may be made useful.

Enclosed you will please find copies of two of the communications from the Prefects of the Counties of Rio Arriba & San Miguel.

Col. Cook, I am informed leaves Fort Union tomorrow with all the available forces at his command & will proceed at once in the direction of the Raton Mountains leaving the Indians referred to, in his rear.

In view of this condition of affairs I have ordered out two hundred of the Militia of Rio Arriba County, and two hundred of the County of San Miguel to defend their respective Counties until your arrival at this place.

I have the honor to be.

Most respectfully
Your. O. Obedt Servt
Actg Gov Territory N. Mex.

Santa Fé Terr

Mayhorth

Commanding Officer
Fort Union

Sir!

Herewith I enclose to you reports to me from the Prefect of the County of Santa Fé, and a copy of Military Order No 2 to Brig. Gen. Manuel for your information in the matter

Respectfully Yours &c
Wm. S. Messervy
Acting Gov. Terr. of New Mexico

May 23rd.

Proclamation

Territory of New Mexico
Executive Department
Santa Fé May 23d 1854

It has come to the knowledge of this Department that a most foul murder has been perpetrated upon the person of Louis J. Vaughn, Esq, a worthy and highly esteemed citizen of this Territory, at the Real del Tuerto, in the County of Santa Fe — a murder, which from the known just, peaceful, and upright character of the deceased, could only have been instigated by the most vile and diabolical motives; like heinous murders have been repeatedly committed in this Territory, and the perpetrators have escaped deserved punishments; impunity to the perpetrators of crime renders insecure the lives of peaceful citizens. In view of this unhappy state of things, the Executive has determined to exert all the powers in it vested, to check this career of crime.

Therefore,

I, William S. Messervy, acting Governor of the Territory of New Mexico, do hereby offer a reward of two hundred dollars" for the arrest of the murderer or murderers of Louis J. Vaughn, to be paid upon the conviction or punishment of the same; and I hereby call upon all good citizens, friends of order and public safety, to use all diligence to arrest and bring to justice the perpetrators of this foul deed.

Given under my hand &c

William S. Messervy
Acting Governor

Santa Fé Territory of New Mexico.

May 29th. The Governor this day commissioned Miguel Sena y Quintana, Brigade Inspector of the 2d brigade of 2nd division of the Militia of this Territory. (with the rank of Major).

May 29th. The Governor this day commissioned Miguel Sena y Romero Aid de Camp to Brig. Gen. A. Herrera (with the rank of Captain) of the 2nd brigade of 2nd division of the Militia of this Territory.

May 29th. The Governor this day commissioned the following named persons to the respective offices in this second brigade of the 2d division of the Militia of this Territory. To wit.

Company "A"

Mariano Gonzales	Captain.	
Blasius Alibarri	1st Lieutenant.	
Jesus Maria Montoya	2nd	do.

Company "B"

Faustin Baca y Alibarri	Captain.	
Antonio Baca y Baca	1st. Lieutenant.	
José Gonzales y Quiney	2nd.	do.

Company "C"

José Guadalupe Vallejos	Captain.	
Miguel Montoya	1st Lieutenant.	
José Guadalupe Romero	2nd.	do.

Company "D"

Juan Maria Baca	Captain.	
Matias Garcia	1st Lieutenant.	
Tomas Montoya	2nd	do.

May 27th. Military Order No 3.

Head Quarters.
Adjutant Generals
Office, Santa Fé May
27th 1854.

To the Brigadier General of the 2nd. Brigade of the 2nd. division of the Militia of the Territory of New Mexico.

Sir,

In calling into service and organizing the two hundred men, for the protection of your District from the invasions of the Indians— as you are directed to do in a previous order (No 2) you will observe great discretion in making your details, you should procure as far as possible to make each inhabitant render an equal portion of service.

You are further directed to receive substitutes

Santa Fé Territo

to discharge their duties, and
perform such services sufficient &
You could not keep the same men
per time more than three months, but men
who in your district may be next engaged
at the expiration of one months service, you
change a certain number, and replace the
equal number of men, who should be ready
and be ready for detail— but in this you should
great prudence in order that the service shall be
by upon all.

By order of the Commander
in Chief of the Militia of the
Territory of N. Mx.
Facundo Pino.
Adjt Genl.

Wm. S. Messervy
Acting Governor and Comdg
Chief. Militia. Terry N. Mx.

May 30th.

Executive Department
Santa Fé New Mex. May 30 1852.

Sir.

I am in receipt of your communication of the 25th inst. in answer to mine of the 20th. which was duly received.

You are mistaken in your surmise that the depredations committed in the County of San Miguel near the mouth of the Jicarillas, who had made their escape from the west side of the Rio Grande, and suddenly appeared at that point of the frontier. The descent, it appears was made by the Kiowas, Cheyennes, and probably the Arrapahoes. If you shall not have encountered any of these Indians before the receipt of this communication, policy might dictate, that, for the present we should not assume a state of open warfare with them. In case hostilities should begin, and they should not be subdued immediately, they would most probably, attack the trains which will soon enter their country, on the way to New Mexico. This I suggest merely as a matter of policy, in case you should not have sufficient force to destroy their power to do harm in case you meet them. Since I last communicated with you Special Agent Head has made a report, in which he gives an account of events, at the seat of war since you left.

On the 10th instant. Don Felipe Martinez, the Juez of the Peace of Ocate, surprised and captured a party of eight Apaches, who had been stealing about in the neighborhood. Two of them attempted to escape and lost their lives; the rest were delivered to the my Commandant at this place and are now in custody. Subsequently, Don Juan Mestas turned two other Apaches

Santa Fé Territory of New Mexico

May 30th One was killed on the skirmish, one escaped, and the balance were sent prisoners to Taos and there placed in confinement. These Indians who have been captured declare they will war with the United States as long as any of them are left alive, or until the white population are driven from the Territory. Part of the Militia ordered out, one already in the field, and the rest are getting under arms as fast as they can.

I remain Very respectfully
Your Obdt Servt
Wm S. Messervy
Acting Gov. & Superintendent
Ind. Affairs Ter'y N.M.

To Lieut. Col. P. St Geo. Cooke
Fort Union
N.M.

June 1st The Governor this day commissioned Miguel Olona Justice of the Peace for the County of Valencia.

June 1st The Governor this day commissioned Anastasio Montoya, Constable for the County of Valencia.

June 1st The Governor this day commissioned Juan N. Montoya, Justice of the Peace for the County of Valencia.

June 1st The Governor this day commissioned Maximo Montoya Constable for the County of Valencia.

June 1st The Governor this day commissioned Juan Luna Justice of the Peace, for the County of Valencia.

June 1st The Governor this day commissioned Manuel Padilla, Constable for the County of Valencia.

June 13th

Head Quarters of the
Militia of the Territory of
New Mexico. Santa Fe June 13th 1854

Jose Maria Chavez
Brig. Genl. 1st District
Sir:

I am in receipt of your communication of the 11th inst informing me, that Lieut Abaee, had surprised and taken prisoners eight or more families of the tribe of Jicarilla Apaches, who are, according to your communication, under the care of the force which you command.

Therefor you will send them to this place as soon as possible and with such security as will prevent their escape on the road.

Very Respectfully
Your Obedient Servt
Wm S. Messervy

Santa Fé Territory

June 14th The Governor this day co...
ski to be Notary Public for the C...

June 20th The Governor this day commissi...
to be Constable for the County of San...

June 21st The Governor this day Commissioned ...
Lopez to be Brigadier General of the second Briga...
division of the Militia of this Territory, in place of Mc...
resigned.

June 21st The Governor this day commissioned Miguel Mon...
be Captain of Company C of the second brigade of the seco...
sion of the Militia vice José Guadalupe Gallegos promoted. —

June 21st The Governor this day commissioned Jesus Rivera to be
First Lieutenant of Company C of the second brigade of the
second division of the Militia vice Miguel Montoya promoted.

July 6th.

Head Quarters of the
Militia of the Territory of
New Mexico
Santa Fé July 6th 1854.

José Guadalupe Gallegos.
Brig. Gen. 2nd Brigade
New Mexican Militia

Sir:

I am in receipt of your two letters of the 3d & 4th July, the first of which informs me of the fight between the two companies of your command, and the Jicarilla & Mescalero Apaches.; it gives me pleasure to learn of the success of the troops under your command especially when it is known that they are so scantly provided with the necessary arms and munitions, to defend themselves against the incursions of the hostile Indians.

I regret that I have no arms at my disposal, at this time to supply the Militia of this Territory I have represented to the General Government, their condition and am now awaiting the arrival of Gov. Merriwether, (who is daily expected) who I entertain no doubt, will come from Washington with ample power, to relieve them on my arrival, under which all in authority now take

I would therefore suggest that you do the best you can under the circumstances, until the arrival of His Excellency. I would also suggest that the ordering of a Court Martial be also deferred until the Governor shall be here in person — as I deem it but right that he should order it, as its progress & conclusion must necessarily fall under his administration.

With regard to the appointment of

July 6th had been excused from service by me. I would reply that the said Jaramillo represented to me that it was impossible for him to serve in person but that he was prepared with a substitute, who could render as good service as himself, and as it is usual in all such cases, I decided to give a vote, which I sent by said Jaramillo, instructing you, if he the said Jaramillo should give you good and sufficient reason why he should be excused from serving in person - That you might accept a substitute in his stead, provided he offered one which met your approval. With the fullest confidence in your judgement and discretion, under the various difficulties by which you are surrounded, I am

Most Respectfully
Your Obt Ser[vt]
Jno. T Mc Murry
Acting Jud Cour in Chief.

July 11th The Governor this day pardoned Louis Rael, who was committed to the jail of the County of Santa Fé and issued the pardon to that effect.

July 12th

Executive Department
Santa Fé July 12th 1854

To José Guadalupe Gallegos
Brigadier General 2nd Division
County of San Miguel.

Sir!

I am in receipt of your letter of the 10th inst. and in reply would state, that I have not made peace with the Jicarilla Apaches, nor any other tribe, now at war with the United States, and am now awaiting Gov. Merriwether, who will take such measures as he may deem proper.

But you should not permit this tribe of Apaches nor any other now at war to be travelling about within the settlements.

I believe that Gov. Merriwether will arrive here on his return from the United States, within eight days and in his passage through your place. I expect that you will communicate to him verbally all the events that have taken place, so that Gov. may act advisedly in the matter.

Very Respectfully
Your obt. Ser[vt]
Jno. T. Mc Murry
Acting Gov & Com in Chief

Santa Fé Territory

July 19 The Governor this day issued
and released from confinement
Santa Fé Texans Salazar convicted
of J. H. Munk of said county of the crime of

July 22. Governor David Meriwether this day
Santa Fe. having completed the term of his
absence

July 24 Governor David Meriwether this day relieved
William S Messerly Acting Governor of the Ter-
tory of the duties of the Executive Department
The Superintendency of Indian Affairs of the Territory

July 26 The Governor this day appointed James B. Goff of
Saint Louis Missouri Commissioner to take acknowl-
edgment of deeds and other instruments of writing
in the State of Missouri. for this Territory

July 26. The Governor this day appointed Abel Upshur Magaa
of Richmond. Virginia. Commissioner to take the
acknowledgment of deeds and other instruments of writing
in the State of Missouri Virginia. for this Territory

Executive Department
Territory of New Mexico
Santa Fé July 24th 1854

Hon. Thos. L. Smith
First Auditor U.S. Treasury
Sir:

I have the honor to transmit herewith, Account
Current Abstract and Vouchers, for disbursments made by me
in the Executive Department of this Territory, during the absence
of Gov. Meriwether, from this Territory from the 24th day
of March last to date, And would respectfully request that
they may be examined and adjusted at your earliest convenience

I have the honor to be
most respectfully
Your obdt Servt
Wm. Messerly
Acting Gov. Territory N.M.

July. 28. The Governor this day addressed a communication to the
Hon. Jefferson Davis Secretary of War. relative to the Enroll-
ment of the Militia of New Mexico called into the Service
of the United States to assist in protecting the Frontier
Indians See letter Book Page 32

Santa Fé. New Mexico. August 8th 1854.

August 1.

United States of America
Territory of New Mexico } ss.

Personally appeared before me the undersigned Chief Justice of the Territory of New Mexico, William W. H. Davis who was duly sworn to support the Constitution of the United States and that he would faithfully discharge, to the best of his abilities, the duties of Secretary of the Territory of New Mexico.

In Witness whereof I have hereunto set my hand this 31st day of July A.D. 1854.

(signed) James J. Deavenport,
Chief Justice of New Mexico.

August 7. The Governor this day remitted to one Gabriel Jaramillo, a fine of ten dollars, imposed by Jno. H. Monk, a Justice of the Peace of Santa Fé County for the offence of gambling.

August 14. The Governor this day remitted to one José Torres, a fine of ten dollars, imposed by Jno. H. Monk, a Justice of the Peace of Santa Fé County, for the offence of gambling.

August 14. The Governor this day commissioned Joseph P. Loughead Esquire, to take the acknowledgment of deeds and other instruments for the State of Pennsylvania to be recorded and used in New Mexico.

August 18 The Governor this day pardoned Pablo Gonzales, who was sentenced to the County jail of Santa Fé County, for the offence of assault and battery.

Executive Office
Santa Fé Sept. 2nd 1854

Sir

In answer to the petition of yourself and other Citizens of the County of San Miguel relative to any stationing United States Soldiers, for the protection of the persons and property of the people of said County. Allow me to inform you and them that I have no power to alter the position of any of the U.S. States troops. But Genl. Garland who has that power is expected here in a day or two, when your petition will be laid before him and will doubtless receive his profound attention.

Allow me to suggest the propriety of raising a Company of volunteers in your County for the protection of the frontiers in the event of your petition not receiving a favorable consideration. The Law prescribes the manner of raising such Corps

large number of men in your County who are ready and willing to fight in defense of their

Hon. Francisco Lopez
Judge of Probate
County of San Miguel

Gov

September
15. The Governor this day remitted a fine of ten dollars imposed upon Rafael Troncoso, by Lorenzo Martin, a justice of the Peace of Santa Fé County, for offence of gambling.

September
18. The Governor this day remitted a fine of ten dollars imposed upon Juan Sena and Encarnacion Raél, each, by Lorenzo Martin, a justice of the Peace of Santa Fé county, for the offence of gambling.

September
20 The Governor this day commissioned Theodore D. Wheaton, attorney General of the Territory of New Mexico, until the meeting of the next Legislative assembly.

September
23. The Governor this day Commissioned the following Civil Officers of this Territory, who were elected at the late general election held within their respective Counties on the Fourth day of the present month, Viz:

For the County of Taos.

Justices of the Peace

Gabriel Vigil
Francisco Martinez
Juan Andres Romero
José Antonio Lucero
Juan José Cordova
Juan Quintana
Ygnacio Velazquez
Aniceto Quintana
Luciano Maxwell
Vicente Romero
Felipe Romero
José Dolores Duran
Roman Arellano
Polonio Garcia

Constables

Gabriel Lucero
Felipe Martinez
Antonio Maria Cortes
José Antonio Archuleta
Francisco Varela
Fabian Baca
Antonio Laforé
Faustin Medina
Vidal Trujillo
Jesus Maria Varela
Bernardo Montoya
Lorenzo Sanchez
Demetro Lopez
Juan Apodaca.

For the County of Rio Arriba.

Justices of the Peace

Felipe Martin
José Maria Jaquez
José Maria Montaño
José Tomas Montaño
Manuel Trujillo.

Constables

José Antonio Sanchez
José Francisco Royal
Mario Montoya

Territory of New Mexico, Santa Fé September 25th 1854.

Diciembre 23.

For the County of Rio Arriba

Juan Pablo Madrid
Alonzo Martinez
} Justices of the Peace

Jesus María Lujan
Juan José Martinez
} Constables

For the County of Santa Fé

Ramon Sena
Natividad Romero
Nicolas Quintana
José Duran
Vicente Lopez
Nazario Gonzales
Martin Gallegos
José Manuel Sandoval
} Justices of the Peace

Juan de la Cruz Trujillo
Santiago Moya
Francisco Gonzales
Luis Maria
Pedro Lopez
Isidro Troncoso
Guillermo Royval
Ricardo Chavez
} Constables

For the County of San Miguel.

José Gonzales y Gutierres
Rafael Ardgon
Francisco Sisneros
Jesus Gonzales y Vigil
Jesus María Duran
Pedro Alcantar Vigil
José María Ribera
Lorenzo Fajoya
Matias Garcia
José Tapia
Ramon Leyva
} Justices of the Peace

Juan Estevan Gonzales
Teodoro Sandoval
Manuel Parras
José María Ortiz
Antonio Garcia
Facundo Maese
Pedro Aragon
Francisco Ortiz
Luis Romero
Juan Antonio Arguello
Patricio Gonzales
Esquipula Flores.
} Constables.

For the County of Santa Ana.

Nuvino Aragon
José Andres Sandoval
Ramon Quintana
Rumaldo Montoya
} Justices of the P.

Blas Armijo
Juan Casados
Santiago Rael
Julian Gallegos
} Constables.

For the County of Bernalillo.

Juan Ygnacio Martin
José Miguel Sucero
Tomas Gonzales
Fernando Aragon
Juan Antonio Aragon
Vicente Chavez
Vicente Zamora.
} Justices of the Peace.

Pedro Antonio Salazar
José de Herrera
Martin Gallego
Diego Sucero
Francisco Sandoval
Juan Montoya
Juan Zamora
} Constables

For the County of Valencia.

Juan Sanchez y Aragon
Martin Trujillo
Juan Montoya
José Baca y Carrio
Antonio Mexicano
Juan Luna
Joaquin Candelaria
[illegible] Said.
} Justices of the Peace.

Manuel Aragon
Bernardino Torres
Maximo Montoya
Manuel Saavedra
Saturnino Baca
Manuel Padilla
José Candelaria
[illegible] Chavez
} Constables.

Territory of New Mexico, Santa Fe

Septiembre 28. For the County of Sa

Antonio Montoya
José Andres Contreras
Baltazar Montoya
Bartolo Apodaca
Florentino Castillo.
} Justices of the P.

Sa
Diego
José Ramon
Jesus Apodaca
Juan Chavez.

For the County of Doña Ana.

Thomas S. Bull
José Maria Flores
John Smith
Samuel G. Bean Sheriff.
} J. of the P.

Jesus Sandoval
Rosalio Trujillo
Decideria Arroyos.
} Constables.

September 25th The Governor this day Commissioned Cruz Gutierres a Justice of the Peace in and for the County of San Miguel

September 26th United States of America
Territory of New Mexico } ss.

I David Meriwether, governor of the Territory of New Mexico, do hereby certify, that on the twenty sixth day of September eighteen hundred and fifty four, Perry E. Brocchus personally appeared before me, and in my presence signed, and was by me duly sworn, to the following oath of office.

United States of America
Territory of New Mexico } ss.

I, Perry E. Brocchus, do solemnly swear, that I will faithfully discharge the duties of Associate Justice of the Supreme Court of the United States, for the Territory of New Mexico, and support the Constitution of the United States,

(Signed) Perry E. Brocchus,

In Testimony whereof, I have hereunto set my hand and seal, the twenty sixth day of September An. Do. 1854.

(Signed) D. Meriwether, (seal)
Govr of New Mexico.

October 4. The Governor this day commissioned Horace L. Dickinson Auditor of Public Accts of the Territory of New Mexico, until the meeting of the next Legislative Assembly

Santa Fé, Territory of New Mexico October 13th 1854.

October 13th The Governor this day remitted to one José Manuel Quintana a fine of ten dollars, impined upon him by Nicholas Quintana, a Justice of the Peace in and for the County of Santa Fé, for the offence of assault and battery.

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October 16. The Governor this day commissioned, Jesus María Baca y Salazar, Sheriff of the County of Santa Fé in the place of Lorenzo Labadie resigned; Francisco Ortiz y Salazar, Justice of the Peace in place of José Duran resigned; and Anacleto Sena, Cumtable in place of Francisco Gonzales resigned.

November 29 The Governor this day Commissioned John A. Halderman, a Commissioner to take the acknowledgments of deeds and other instruments of writing in the Territory of Kansas, to be recorded and used in New Mexico.

December 1 The Governor this day remitted to one Esquipula Rivera a fine of fifty dollars, impined upon him by Nicholas Quintana, a Justice of the Peace in and for the county of Santa Fé, for the offence of disturbing the public peace.

December 2 The Governor this day appointed the Honorable James L. Deavenport, to revise, correct, and codify the Laws of New Mexico, in one volume, in conformity to the act of the Legislative assembly, approved February 9th 1854.

December 4 The Governor this day issued the following Proclamation.

Proclamation,

By David Meriwether, Governor of the Territory of New Mexico,

To the Judges of Probate of the counties of Santa Fé and San Miguel.

Whereas information has been received by the Executive, that a vacancy exists in the Legislative Council of the Territory of New Mexico, caused by the death of Thomas Ortiz, a member of said body, from the second senatorial district, composed of the counties of Santa Fé and San Miguel; Therefore be it known, that I, David Meriwether, Governor of the Territory of New Mexico, in conformity to the law in such cases made and provided, do hereby direct the Probate Judges of the respective counties composing said senatorial district, to give their writs for an election, to be holden on Saturday the sixteenth day of December instant, to elect one member of the Legislative Council, for the unexpired term of said Thomas Ortiz,

In Testimony whereof, I have hereunto set my hand, and caused to be affixed the Great Seal of the Territory, Done at Santa Fé, this fourth day of December, in the year of our Lord, one thousand eight hundred and fifty four.

By the Governor

W. W. H. Davis.
Secretary of the Territory.

D. Meriwether.

Santa Fe. Territa

Dec 3 — The Governor this day, by and with the
pointed Horace L. Dickinson, Auditor of
of New Mexico. for the term of two years from

December 5 — The Governor this day signed and approved a Joint Re
Assembly, appointing a joint Committee of three members
wait upon the Governor and announce that the two Houses were
any message he might desire to lay before them.

December 5th. The Governor this day delivered the following Message to the members
of the two Houses of the Legislative Assembly of this Territory.

Gentlemen of the Council
and House of Representatives:

In the discharge of my Official duty, it again becomes proper for me to lay before the Legislative Assembly the condition of the Territory, and call your attention to such subjects as, in my opinion, require legislative action. I do this with a firm reliance upon your better knowledge and information, to supply any omissions upon my part.

I regret extremely to inform you that since the adjournment of the last Legislative Assembly, our Citizens have suffered much from depredations committed by the Indians. Many valuable lives have been sacrificed, several of our people borne off into captivity, and a large amount of property lost, notwithstanding the efforts made by the United States troops stationed in our Territory, assisted by the militia, to prevent such occurrences. These depredations became so frequent, and the prospect for the future so alarming, as to induce the Hon. Wm. S. Messervy, then the acting Governor of the Territory, to call out a portion of the Militia of the Counties of San Miguel and Rio Arriba, to assist in protecting the frontiers. But I am sorry to inform you that for the want of Arms, ammunition, and other equipments, the Militia had but little opportunity of rendering much valuable service; and I am equally sorry to say that the Officers in command have reported to the executive, that in some instances portions of the Militia ordered out refused to obey the call and assist in protecting the lives and property of the community.

It often happens that the militia are called upon to render services at times when many cannot leave their homes, without inconvenience and sacrifice, and I would therefore recommend that the Governor be authorized by law to receive volunteers into the service when an emergency shall arise, instead of calling out the Militia. The reasons for this recommendation are obvious, and hence only one will be assigned, as that alone is deemed greate. If volunteers are called for, such men will enter the service, leave their homes Conveniently, and having entered the service of the Country willingly, cheerfully, and of their own accord, they will likely to render good service, than those who may be forced into compulsion, and at times when their presence may be required at home. Little doubt is entertained that a sufficient number would respond to

December 5th any probably contingency which may arise.

It is a matter of deep regret that I should be compelled to call attention to the fact of individuals having engaged in trade with the Indians, and in some instances selling them powder and lead, whilst occupying a hostile attitude towards us. Without strong evidence of the fact, it would be difficult to bring the mind to believe, that whilst the community generally were engaged in hostilities, and a portion in a deadly struggle to protect their lives and property from the ruthless savages, individuals could be found capable of supplying the savage foe with the means of prosecuting hostilities. This is a matter demanding prompt attention at the hands of the representatives of the people, and severe penalties should be imposed to prevent a repetition and punish future offenders.

I would recommend that a memorial be presented to Congress, requesting that honorable body to authorize a loan of Five hundred Stand of Arms, for the use of the volunteers when assisting in the defence of our frontiers against the incursions of the Indians.

I am happy to have it in my power to inform you that the long disputed question of boundary between this Territory and the State of Chihuahua has been amicably settled by the Governments of the United States and Mexico, and that the treaty recently concluded between the two republics, and the act of the Congress of the United States, confirm to this Territory the Mesilla valley, together with about fifteen thousand square miles of land in addition thereto. This may render it necessary and proper that the newly acquired territory should be erected into one or more new Counties, or be added to some other County or Counties already established. I call your attention to the subject that it may be disposed of as you may deem most expedient, and invite your early attention to it.

Experience only serves to confirm the opinion expressed by me in my annual message to the Legislative Assembly at the last session, in relation to the propriety of creating a revenue sufficient to pay the ordinary expenses of the Territorial government as fast as they fall due; and for the reasons which suggested themselves to my mind in favor of such a measure, I beg leave to refer you to that message. It is true that the Congress of the United States, at its last session, among many laws highly beneficial to New Mexico, passed two which materially affect our financial condition, and will render an immediate resort to taxation less necessary. I allude to the act of Congress authorizing the Secretary of the Territory to pay to Juan C. Armijo, José L. Perea, and James L. Collins the amount due to them respectively, for money loaned to the Territory under a joint resolution approved June 17th 1851; and the act authorizing the Secty. of War to pay to the civil officers of the Territory employed under the military government, the salaries due to them from September 22d 1846 to March 3d 1851, and to authorize the payment of $12.098.64. to the Territory of New Mexico, for advancements made in part payment of said salaries. These two acts of Congress will entirely relieve the Territory from debt, and there will be a surplus in the treasury when that is accomplished; but unless additional revenue be created, this surplus will soon be exhausted, and the treasury will again be without funds to meet the demands upon it.

The last mentioned act authorizes the payment of this $12.098.64. to such agent as may be appointed to receive the same, and I would recommend that the appointment of such an agent be authorized by law at an early day, so as to render this fund available [illegible]

Territory of New Mexico.

December 5th It will become the duty of the Legislative Assem
representation in the Council an House of Represent
districts of the Territory; and the organic law provides
made according to population. Indeed this the only correct
portionment, and yet I find no law upon the statute book
a census or enumeration to be made upon which to base such a
therefore, recommend that this omission be supplied by the enactm
quiring such a census to be taken every two years; otherwise great injus
to some of the counties, in making such apportionment. In view of the abs
proper date upon which to base an apportionment, I take the liberty to stating
of population in each County of the Territory, according to the census taken by the Unit
States Marshall in 1850, which is as follows:

The County of Bernalillo had	7,751
The County of Rio Arriba had	10,668
The County of Santa Ana had	4,645
The County of Santa Fé had	7,713
The County of San Miguel had	7,074
The County of Taos had	9,507
The Counties of Valencia, Socorro, y Doña Ana composed the county of Valencia and had	14,189
Total population of the Territory	61,547.

Taking the number of votes cast at the elections of 1853, as a basis to ascertain the amount of population in the three last named counties severally, it will give.

To the County of Valencia	7,120
To the County of Socorro	4,280
And to the County of Doña Ana	1,440
If the population of the Messilla Valley be added to Doña Ana county it will increase the population of that County to about	4,000

I would again call the attention of the Legislative Assembly to the cause of education, and refer you to my last annual Message for the reasons which suggested themselves to my mind, in favor of a general diffusion of Knowledge and the culture of the mind, among the masses of our population. There is no subject whatever of more vital importance than this, nor one more imperiously demanding the enlightened attention of the Legislative Assembly. It is one in which the entire community, both individually and collectively, are deeply interested, and upon which much of its future welfare and prosperity is dependent.

In this connection I would call your attention to the fact that there are a[n] of school books now in the possession of the Secretary of the Territory, and respe recommend that this officer be authorized to distribute them to the several now in operation. One of the greatest difficulties with which the cause tion has to contend, is the scarcity of books, and I know of no ble manner of disposing of those on hand, than the one

Liberal appropriations having been made by
in an available position

Territory Of New Mexico, December 5th 1854.

December 5th erection of a Penitentiary in the Territory, every necessary arrangement will be made to commence opérations upon those two edifices at as early a day as practicable, so as to secure their completion in the shortest possible time. And as persons convicted of Crime are now retained in jail at a heavy cost to the counties or Territory, and liable to make their escape with great facility, owing to the want of good and sufficient jails for their retention, I would respectfully recommend the passage of a law directing the employment of convicts upon the two Public Buildings alluded to. If this be done the convicts can be kept in greater security, whilst their labour will pay the cost of their feeding and safe custody.

At the last Session of the Congress of the United States, that Honorable body responded to the Memorials of the Legislative Assembly, asking for the improvement of the road from Santa Fé to Taos, and trying the experiment of boring an Artesian Well on the great Jornada between Fray Cristoval and Robledo, by making an appropriation of twenty thousand dollars for the first object, and twelve thousand for the second. And I would suggest the propriety of your Memorializing Congress, at the earliest practicable day of the session, in favor of an appropriation for the improvement of the road from Fort Union to Santa Fé. This is one of the most important roads in the Territory: a road over which the mail from Independence to Santa Fé must necessarily pass, leading to, from the head quarters of the General commanding this Military department, to one of the most important military posts of the department; and one over which all of the merchandize and military stors directed for Santa Fé, and points north of it must be transported. It becomes a matter of great importance to every interest to keep it in repair, but as there is not sufficient population along the course of the road or contiguous to it, to accomplish this desirable end, hence this great thoroughfare has become almost impassible.

I would again call attention to the condition of the jails of the Territory, and earnestly recommend that provision be made for feeding the prisoners confined in them. Without good and sufficient jails for the safe custody of persons arrested for the commission of crime, it is impossible to enforce the laws, and punish offenders; and for the want of adequate provisions for feeding the prisoners several of the County sheriffs have expended for that object portions of the revenue collected for other purposes, and belonging to the Territorial Treasury. The last year's experience teaches us, that in a majority of the cases of imprisonment where there is a strong probability of conviction, the prisoners make their escape before trial; indeed such is the facility of escaping, that the penal laws remain almost a dead letter upon the statute books. Your earnest attention is invited to this subject and a hope cherished that the evil will be remedied.

I have felt myself constrained to withhold my approval and signature from four bills and one joint resolution passed at the last session of the Legislative Assembly of the following titles, viz:

An Act regulating the form of executions, &c.

An Act amending the revenue laws in the Kearney Code.

An Act to prevent sheep and goats passing over cultivated lands.

An Act encreasing the jurisdiction of Probate Judges.

A Joint Resolution without any title.

My objections to the first two is, that they contain no enacting clause, the titles of the bills as set forth, but the power and authority by which they were enacted is omitted and hence they [illegible] no binding effects as laws.

December 5th My objections to the third are, that it is illy dig-
of different constructions. My objections to the four
jurisdiction to hear and determine all controversies
where the amount in controversy does not exceed three
such regulations as they may deem proper to prevent in

I doubt very much the propriety of granting to Probate
the land titles of the Territory, even to this limited extent. Where
Citizens is in Controversy his title to that home should be adjudicated
a Court of higher authority than a Probate Court. And I also doubt the pa-
and power to delegate to probate Judges authority to establish such rules and
as any one of them may deem proper to prevent animals from trespassing on
&c. The laws of the Territory should be uniform in the several Counties, yet it is
power be granted, different rules of law may exist and different penalties be imposed
for the same offence, in each and every County.

My objections to the Joint Resolution are manifold and insuperable. It proposes
to revive and put in force in this Territory, the old ordinances and laws of Spain which
were in force in the Mexican Republic at the date of the ratification of the treaty
of peace, (Guadalupe Hidalgo) between that government and the United States. The
ordinances and laws embrace several hundred pages of printed matter, and very few
copies are to be found in our country at this time; yet it is proposed to revive and
put them in force here, as the laws of the land without embodying them in the
statute, so as to enable our Citizens to ascertain what provisions are contained there
This is proposed to be done by a joint resolution of the Legislative Assembly, merely refer-
ring to them as ordinances and laws in force at the date of the ratification of the
treaty referred to. From the scarcity and difficulty of procuring copies of these
ordinances and laws at this time, comparatively speaking, few of our Citizens
can be presumed to know their provisions; and it is deemed to be bad policy to
have any laws in force which are not accessible to all. In addition to all this
the ordinances and laws sought to be revived, contain many provisions, and
create many Offices and tribunals, entirely inconsistent and at war with
the principles and genius of the present government.

The foregoing bills and joint resolutions were presented for my approval at
the close of the last session of the Legislative Assembly, without sufficient
time being allowed me to return them with my objections, before the final
adjournment of that body. And although there is no law requiring the
Governor to return a bill, with his objections, which does not meet his ap-
proval, respect for the Legislative Assembly would prompt me to do so
whenever time will admit of this being done, with due consideration

I herewith transmit to the Legislative Assembly, the annual report
of the auditor and Treasurer of the Territory, for the fiscal year ending
the 15th of November last, by which it appears that the total amount of
into the Treasury during that year was $4582, 76, and the amount of pay
made during the same period was $4772, 89. whilst the outstanding
unpaid warrants amount to $3942, 92. leaving this amount

When the sum of $12, 098, 64 before alluded to, as having been by
Congress to the Territory, as received into the Treasury,
unexpended, amounts to

[redacted]ember 5th this sum be appropriated by the payment of the [redacted]ia called into the service during the last spring and summer to assist in repelling Indian incursions. There is no doubt that the government of the United States will eventually pay these men, and still less doubt that Congress will make an appropriation to reimburse the amount, if paid by the Territory; and as many of those who were thus called from their homes, at an unreasonable time, for the general good, are poor and need thier pay, and as it may be a year or more before the subject can be finally acted upon by Congress, and as this surplus is not wanted at the present time for immediate use, I would recommend that it be employed in the manner indicated; for there is no man who more richly deserves to be paid promptly, than he who fights the battles of his country.

I would also recommend that a Memorial be transmitted to the Congress of the United States, relative to property taken and destroyed by the Indians of this Territory and asking that an appropriation may be made to indemnify our Citizens for such losses. The 17th Section of the Act approved June 30th 1854, guarantees to every Citizen and inhabitant of the United States indemnification for all such losses, but no appropriation has been made by Congress to enable the Commissioner of Indian affairs to liquidate and pay to the injured parties the amounts severally due them. Both the Legislative and Executive departments of the general government are pledged, by a solemn act of Congress, to pay such claims, when properly presented; many have recently been presented, and there can be no doubt of an appropriation being made, whenever the subject is properly presented for the Consideration of Congress. The magnitude of the claims already presented is by no means inconsiderable, many of our Citizens are deeply interested in them; and I know of no more appropriate plan of arresting and calling the attention of Congress to the subject, than the one suggested.

I have recently been informed of the release from captivity of two Mexican boys, named Domingo Benavides and Pedro Miguel Gonzales, who were captured last spring by Cheyenne Indians, in the vicinity of Antonchico. These captives were taken to the east side of the Arkansas River, and procured their release through Gen. Whitfield Indian agent for the Territory of Nebraska, at some cost to himself, which should be refunded. I therefore recommend that the Legislative Assembly make an appropriation sufficient to pay the cost of the release and restoring these, together with such other captives as may be released, to their homes and families. These two little boys are not at Westport, in the State of Missouri, where they will be well taken care of until they can be sent to this Territory. Gen. Whitfield informs me, by letter, that they are held subject to my order, and I have directed them to be sent to their homes by the first train leaving that place for this Territory, not doubting that the Legislative Assembly would provide for the payment of the Cost.

D. Meriwether

Territory of New Mexico

December 11th This day the Governor delivered the following Message to both Houses of the Legislative Assembly.

Gentleman of the Council
and House of Representatives:

Several payments having been made out of the Treasury since the date to which the annual reports of the officer refer, which materially change the condition of the finances of the Territory by the reports referred to, and my late Message to the Legislative Assembly, and desirous that you should be fully apprised of the true condition of the public finances up to the latest date, I herewith transmit a supplemental report of the auditor of public accounts, this day presented to me. It will be seen by reference to this report, that the total amount paid into the treasury, from all sources, from the 15th day of November, 1853. up to and including the 9th day of December 1854. is $7.132.33. and the total amount paid out of the treasury during the same period was $6.902.84 leaving a balance on hand and unexpended at the date last referred to amounting to $229.49, whilst the outstanding and unpaid warrants already issued, amount to $1,963.07. Deducting then the amount of money remaining in the treasury from the amount of unpaid warrants, and the balance remaining will be found to be $1,732.58, to be provided for, which is the total indebtedness of the Territory.

In this connection I would beg leave to suggest the propriety of requiring by law that the Treasurer shall cancel all warrants paid by him, immediately after their payment; and that within ten days after the approval of the act recommended, and between the fifteenth and twentieth days of November in each and every year thereafter, the Treasurer shall exhibit to the auditor, in the presence of the Governor, the original warrants paid by him, of which two complete descriptive lists should be made, one to be filed in the Secretary's Office, and the other recorded by the auditor in his Office; and the warrants should be burned in the presence of the Treasurer, auditor, and Governor.

I would also beg leave to inform you, that there is probably some mistake as to the information given to you in my late annual Message, relative to the passage of an act by Congress appropriating $12.098. 64 for the benefit of this Territory. I found such a provision, in the act referred to as published in one or more newspapers authorized to print the laws of the general government, and hence presumed that there could be no mistake about it; but since the printing and delivery of my Message, the pamphlet edition of the statutes at large has come to my hands, and upon a close examination, I find the provisions referred, to omitted. Hence it is deemed unsafe to make appropriations with the expectation of their being paid out of the fund alluded to.

I also call attention to the 1st Section of an act of the Legislative Assembly, approved July 12th 1851, entitled, "An Act to raise a revenue by means of license tax," which is in the following words:

"That the 11th 12th 13th and 17th Sections of order No. 10, as heretofore be and the same are hereby made the law of the land, with exceptions provided."

Then follow the exceptions. These orders are as

Dec 11th books, nor have, I been able to find a copy elsewhere, yet they are to be regarded as the law of the land. Also to the 1st Section of a law in the Kearney Code, entitled "Administrations," which is in the following words:

"The law heretofore in force concerning descents, distributions, wills and testaments, as contained in the treaties on these subjects, written by Pedro Murillo de Lorde, shall remain in force so far as they are in conformity with the constitution of the United States, and the state laws in force for the time being."

The question presents itself as to the propriety of leaving the law upon two such important subjects as indefinite and ambiguous, and I respectfully submit, that it would be better to declare, by special statute, what shall be the law, that every Citizen, knowing, may defend and protect his rights.

I would also call attention to the attachment law, which, in my opinion, requires revision and amendment. Where the demand amounts to fifty dollars or over that sum, the person wishing to sue out an attachment is required to do so in the Office of the Clerk of the Circuit Court; there is but one such Clerk for each judicial district, hence a Citizen of the County of Doña Ana must travel from his home to the town of Socorro, where the clerk of that district resides, to obtain an attachment against the property of an absconding debtor. This imposes great hardships upon such Creditors, and may often enable the debtor to remove his property beyond the jurisdiction of our laws, before the proper process can be obtained and executed. As a remedy I would suggest the propriety of authorizing the several Probate Courts to issue attachments under the same rules and regulations required by law, where attachments are issued by clerks of the Circuit Courts, to be made returnable before the proper Circuit Court.

I would also recommend the enactment of a law requiring all officers who have receive public books to turn them over to their successors in office, otherwise it will be impracticable for the Secretary to supply new Officers with such books as the law requires.

I have deemed it proper to call the attention of the Legislative Assembly to the foregoing matters, because a suitable person has recently been appointed under the provisions of the act of the last session to arrange, revise and correct the laws of the Territory and codify the same in one volume, and it is desirable to have this work as complete as practicable.

Santa Fé December 11th 1854. D. Meriwether.

December 20. The governor this day approved and signed a joint resolution of the two houses of the legislative assembly, providing for the election of a public printer for the territory.

December 21. The governor this day approved and signed the following act and joint resolutions of the legislative assembly.

1. An act authorizing an additional demarcation, for the election of one justice of the peace and one constable, in the county of Bernalillo.
2. A joint resolution requiring the Secretary of the territory to remit to the two Houses, a copy of all the acts of congress passed at the last session, in reference to this territory.

Territory of New Mexico. &c

December 21. 3. A joint resolution, requesting
to the two houses, all the unfinished bus
be in his profession.

4. A joint resolution, authorizing the apf.
tee of the two houses, to revise and amend the crimin

December 22 This day the governor remitted a fine of ten dollars
José Antonio Sena, imposed upon him by Nicholas Quintana,
the peace in and for the County of Santa Fe, for the crime of larceny

December 23. This day the governor disapproved a joint resolution of the two ho-
of the legislative assembly, providing for the election of a public printer for the
Territory

December 23 This day the governor approved and signed an act of the legislative
assembly providing for an additional demarcation in the County of Socorro for
the election of one justice of the peace and one constable.

Decembe 28. This day the governor approved and signed a memorial of the legis-
lative assembly, to the Congress of the United States, asking for an appropriation
to pay for property taken or destroyed by the Indians in this Territory.

December 27. This day the governor disapproved a joint resolution of the two
houses of the legislative assembly, providing for the election of a public printer
for the Territory

December 28 This day the governor approved and signed a memorial of the legis-
lative assembly, to the Congress of the United States, in reference to Indian depre-
dations in New Mexico.

Decembe 29 This day the governor approved and signed a Memorial of the
Legislative assembly, to the Congress of the United States, asking the loan of a
thousand stand of arms to the Territory

December 30 This day the governor approved and signed the following act and
and memorials of the Legislative assembly, viz.
1 A memorial to the Congress of the United States asking for an appro-
priation of money for school purposes in New Mexico,
2. An act establishing a fair in the town of Albuquerque.
3. A memorial to the Congress of the United States asking for an
appropriation of twenty five thousand dollars to pay the Militia who served a-
the Jicarillas

December 30. This day the governor pardoned one Ramon Baca who
1 noted in the district Court of San Miguel County of the crime of

Dec 22 This day the guernur commissioned William L. Boone to take the acknowledgment of deeds and other instruments of writing in the state of Kentuck, to be used in New Mexico.

1855
January 3 United State of America }
Territory of New Mexico } ss.

I. W. W. H. Davis. secretary of the Territory do hereby certify, that on the third day of January, eighteen hundred and fifty five William Claude Jones personally appeared before me, and in my presence signed, and swarn to one duly sworn to the following oath of office to wit,

United State of America }
Territory of New Mexico } ss.

I. William Claude Jones do solemnly swear that I will support the Constitution of the United State, and faithfully discharge the duties of United State attorney, for the Territory of New Mexico.

(Signed) William Claude Jones.

In Testimony whereof I have hereunto set my hand and affixed my seal of office this third day of January A. D. 1855.

Seal

W. W. H. Davis
Secty. Territory New Mexico.

January 3rd This day the Governor delivered the following Message to the members of the two Houses of the Legislative Assembly of this Territory.

Gentlemen of the Council
and House of Representatives.

A bill, passed by the two Houses of the Legislative Assembly, entitled "An Act authorizing volunteer campaigns against any tribe of Indians at war with New Mexico," has been placed before me for my approval and signature. I have carefully examined this bill, with an anxious desire, on my part that it should become a law if my own judgment could sanction its provisions; but I feel myself constrained to admit that many of its provisions are, to my mind, highly objectionable.

The 3rd Section provides, that any person, desiring to make a campaign against any tribe of Indians at war with this Territory, shall inform the Governor of his intention "who shall grant the campaign under the condition required in the foregoing Section." The only condition contained in the second Section is, that the party shall not be composed of less than fifty men and if this single condition be complied with the Governor is rendered powerless, and although his judgment pronounces against the

Territory of New Mexico

Jany. 3rd be obliged, under the proposed law, to go

The 4th Section provides that the Company shall appoint their Commanding Officer as may deem necessary "Under whose control they shall ... Wishing a Territorial government for New Mexico pass law, makes the Governor Commander in Chief of the Milita proposes to give to the Commanding Officer, appointed by those Co expedition, the Command and deprives the Governor of all control ... whatever. The same act of Congress makes it incumbent upon the Gover mission all Officers of the Territory, and yet this bill provides no means of ... the Governor who has been appointed so as to enable him to Commission ...

The 5th Section grants to the "Volunteer Campaigns against the Indians" all spoils that may be taken except the property of the United States without reserv the rights of those from whom the property may have been previously taken by the Indians, and to whom it rightfully and legally belongs, which, to my mind, is contrary to every principle of justice. It also proposes to dispose of property captured in war, a right which belongs alone to general government, and cannot rightfully be exercised by any other power.

The 7th Section of the bill imposes the penalty of death upon any person who shall, whilst engaged in any such campaign, steal the property of any person of this Territory. Capital punishment, for the Crime of larceny, is very unusual and has long since been abolished in most, if not all, the states of this union and is deemed to be more than adequate to the offence; and whenever this is the case it will be found difficult to get a jury to convict.

The 8th Section makes it the duty of Justices of the Peace and Probate Judges to order the Citizens to go in pursuit of any Indians who may commit depredations, without specifying under whose Command they shall go, and the act of Congress guaranteeing to the Citizen indemnification for property taken by the Indians expressly does so upon Condition that there has been no "Seeking or attempting to obtain private satisfaction or revenge." Hence if a Citizen who has lost his property refuses to go in pursuit, he violates the law of the Territory, and if he does go he forfeits his claim upon the government of the United States.

The government of the United States has reserved to itself the exclusive right to regulate all Indian affairs without the Territories thereof, and the Governor of this Territory is, by the Organic law, made Superintendent of Indian Affairs for the same. He receives his instructions from the proper Department of that government and from that source alone, which instructions he is bound to obey. This bill imposes upon him certain duties which may come in conflict with instructions from the proper Department at Washington and indicates a policy to be pursued towards the Indians of the Territory that may be at variance with that which the general government may direct.

For the foregoing reasons and many others which could be given, I feel it to be my duty to withhold my approval and signature from the bill ... consideration.

Executive Office
Santa Fé January 3rd 1855.

January 11 The governor this day appointed and commissioned Henry A. Green as Notary Public in and for the county of Taos, Territory of New Mexico.

January 17 The governor this day approved and signed the following acts of the Legislative assembly, viz.

1. An act to authorize the governor to call volunteers into service for the defence of the Territory whenever he may deem the same necessary.

2. An act establishing a third term of the district court in the county of Bernalillo.

January 18. The governor this day approved and signed the following acts of the Legislative assembly, viz.

1. An act to extend the terms of the district court in the county of Doña Ana.

2. An act requiring the Probate Judges to hold the regular term of their court at the county seat of the respective counties.

3. An act requiring public officers of the Territory, to deliver to their successors in office, all papers and records of their respective offices.

4. An act authorizing the Probate Judge of the county of Socorro to order an election to be held in an additional precinct.

January 20 The governor this day approved and signed a joint resolution of the Legislative assembly, tendering a vote of thanks to Lieut Samuel D. Sturgis first regiment dragoons U. S. army for his gallant pursuit, and recent encountre with the Mescalero Apaches.

January 24th This day the Governor issued the following Proclamation.

Proclamation.

By authority vested in me by law, and in accordance with a requisition this day made on me, by Genl John Garland, Commanding Officer of the Department of New Mexico. I David Meriwether, Governor of the Territory of New Mexico, do declare and make known, that four companies of mounted volunteers will be received into the service of the United States to act against the hostile Indians of this Territory.

The volunteers will be mustered into the service by companies, as fast as the respective Companies can be organized, elect their Officers, and report to the Governor; and will be required to serve for six months, from and after the day of their being mustered into the service, unless sooner discharged.

Each Company will consist of not less than eighty, nor more than one hundred able bodied men, not under eighteen nor over forty five years of age, who will elect one Captain one first and one second Lieutenants. The Commissioned officers of each Company will chose four Sergeants and four Corporals. Each volunteer will provide himself with a good substantial Horse or mule of large size, a good saddle, bridle saddle blanket

and faithful reply.

Two companies will rendezvous
and the remaining two companies at Santa Fe, as soon
and organized[illegible] when they will be mustered into the service
and ammunitions and receive their orders.

The Governor takes this occasion to inform the Citizens, that
is now afforded them to repay the Indians for their inhuman
and wanton robberies, and he makes an appeal to their patri-
a confident hope that this call will be promptly responded to.

Given under my hand and the Seal of
Territory, at the City of Santa Fe, this 24
day of January A. D. 1855.

D. Meriwether

By the Governor
W. W. H. Davis
Secty. Terry. New Mexico.

January 25 The governor this day commissioned John A. Frick commissioner to take the acknowledgment of deeds and other instruments of writing in the State of Pennsylvania, to be used in this Territory.

January 25 The governor this day commissioned Salmon A. Buell Commissioner to take the acknowledgment of deeds and other instruments of writing in the state of Pennsylvania, to be used in this Territory.

January 27 The governor this day accepted the resignation of James H. Quinn, district attorney for the Territory of the second judicial district.

January 27 The governor this day accepted the resignation of Richard L. Campbell, Probate Judge of Doña Ana County, to take effect from and after his successor shall have been duly elected and qualified.

Proclamation.

By virtue of the power conferred upon me by law, I David Meriwether Governor of the Territory of New Mexico, do hereby order and direct Richard L. Campbell, Probate Judge in and for the County of Doña Ana in said Territory, to issue his writs of Election, for an election to be held in the various precincts of said County of Doña Ana, to elect one Probate Judge for said County in room of the said Campbell, who has resigned to take effect when his successor shall have been duly qualified.

In testimony whereof I have hereunto set my hand and affixed my Seal of Office, at Santa Fe, this 27th day of January A. D. 1855.

D. Meriwether

By the Governor
W. W. H. Davis
Secty of the Terry.

27 This day, Captains Charles Williams and Francisco Gonzales, of Taos County, reported their Companies of Volunteers to the Governr. who notified them to report to Major Blake, United States army, at Don Fernandez de Taos, on the first day of February, to be mustered into the service of the United States.

January 29 This day Captain Charles Deus reported his company of mounted volunteers to the Governor, as ready to be mustered into the service of the United State; when they were duly mustered into the service of the United States, by Major Nichols asst. Adjt. General us. army.

January 30 This day Captains William S Cunningham and Miguel Pino reported their companies of mounted volunteers to the Governor, as ready to be mustered into the service of the United States; when they were duly mustered into the service of the united State, by Major Nichols asst adjt. General us. s. army.

January 30 This day the Governor approved and signed an act of the Legislative Assembly for the relief of Richard C. Campbell Probate Judge of the County of Doña Ana.

January 31 This day the Governr approved and signed a Joint Resolution of the Legislative Assembly, requesting the President of the United State to appoint Lieut. Samuel D. Sturgis, third regiment of united States dragoons Major in one of the new regiments about to be authorized by Congress.

January 1 This day the Governor approved and signed an act of the Legislative Assembly for the government of the Territorial prison.

February 1 This day the Governr approved and signed a Joint Resolution of the Legislative Assembly, complimentary to the volunteers who turned out in obedience to the Governr's proclamation; and also approved and signed a Joint Resolution fixing the hour of the final adjournment of the Assembly.

February 2 This day Captain Manuel Chavez reported his company of mounted volunteers to the Governr as ready to be mustered into the service of the United State; when they were duly mustered into the service of the United State by Major Nichols, asst adjt. General of the United States army.

2 This day the Governr appointed and Commissioned Ceran St Brain, with the rank of Lieutenant Colonel, to command the battalion of volunteers called into service, upon the requisition of Brt. Brig. General Garland, commander of the Department of New Mexico.

2 This day the Governor approved and signed an act of the Legislative Assembly changing the time of holding the next regular term of the

February 3 This day the Governor a
acts and Joint Resolutions of the Legisla

1 An act providing for an additional
Laws.

2. An act changing the county seat of the cou

3. An act annexing the territory acquired by Gad
the county of Doña Ana.

4. An act establishing a Fair in the county of Valen

5. A Joint Resolution for the relief of John Ward

6. An act to regulate the Militia law.

7. A Joint Resolution directing the Judges of Probate to giv
notice to the Govern of Indian depredations.

8. A Joint Resolution allowing the clerks of the two Hous four
days to bring up the unfinished business.

9 A Joint Resolution directing the Secretary of the Territory
to have the laws and journals of the present session printed.

10. A Joint Resolution directing a committee of the two
Houses to wait upon the Govern and inform him that they are ready to
adjourn.

11 A Joint Resolution, recommending Ceran St Vrain
to the President of the United State, to be appointed to the command of one
of the new regiments about to be authorized by Congress.

February 3 This day the Governor ~~appointed~~ commissioned the following of
ficers in the regiment of mounted volunteers mustered into the service of
the United States for six months, unless sooner discharged.

Captains.

Charles Williams.
Francisco Gonzales.
William S. Cunninghamp.
Miguel E. Pinos
Charles Dees.
Manuel Chavez.

First Lieutenants.

Marcelino Bigil.
John Mostiny.
Tomas Valencia.
Candido Ortiz.
Albert H. Pheiffer.
Agapito Garcia.

Second Lieutenants.

Matias Ortega.
Felipe Sanches.
Oliver Perry Hovey.
Ygnacio Maya.
Matias Martiny.
Roman (X) Baca.

February 5 This day the Govern approved and signed the follow
and Joint Resolutions of the Legislative Assembly.

1 An act for the relief of Augustine L

2 An act

January 3. An act ordering Territorial warrants to be burnt.

4. An act establishing a Fair in the Capital of the Territory.

5. A Joint Resolution appointing a committee to wait upon General Garland, to ask him to organize one or more volunteers in the vicinity of Albuquerque.

February 6. The Governor this day approved and signed the following acts and joint resolution of the Legislative assembly.

1. An act to amend the attachment law.

2. An act authorizing clerks of the district Court to appoint deputies

3. An act authorizing clerks of the district Court to appoint deputies for certain purposes.

4. An act regulating tax on gambling licenses.

5. An act authorizing Probate Judge of Bernalillo to order an election for Justice of the Peace and Constable.

6. A joint resolution appointing a joint Committee to wait on General Garland and request him to receive more volunteers.

7. An act for the greater security of the Territorial and County funds

8. An act amending the act of January 18th 1855 in relation to public officers delivering public records to their successors in office.

February 8 This day the Governor approved and signed an act of the Legislative Assembly for the relief of Jesus Maria Baca y Salazar, Sheriff of Santa Fe County.

February 10 The Governor this day approved and signed an act of the Legislative Assembly, repealing the fourth section of the election law approved 16th 1854: and an act in relation to the county of Santa Fe

February 12 The Governor this day approved and signed an act of the Legislative Assembly prohibiting the issuing of executions against county and Territorial property.

February 12 The Governor this day commissioned Pedro Montoya Justice of the Peace, and Narbais (Miguel) Constable in the county of Santa Fe.

February 16 The Governor this day commissioned Dionicio Gonzales justice of the peace in the County of Taos; and José Silva justice of the peace, and Rafael Andres Romero. Constable in the county of Socorro.

19 The Governor this day appointed and commissioned Finis Cavanaugh assistant Surgeon in the regiment of mounted volunteers.

February 26 The Governor this day apo
gislative Assembly for the relief of Lore
County of Santa Fe.

February 28 The Governor this day appointed and
ekiah S. Johnson district attorney for the third ju re
Territory of New Mexico.

March 21. The Governor this day appointed and commissio
Jesus Maria Baca y Salazar Keeper of the Territorial Prison

March 27 The Governor this day approved the bond of Jesus Ma
ria Baca y Salazar appointed Keeper of the Territorial Prison.

March 27 The Governor this day pardoned Bicente Belarde, convicted
in the distnct Court of Santa Fe county, of larceny.

March 29 This day the Governor commissioned the following civil
officers, elected at a special election in the county of Doña Ana. viz.

Justices of the Peace.
Jne Maria Gaucidp.
Isidor Armijo.
Mariano Torres.
Macial Padilla

Constables.
Encebio Morens.
Jne Cordova.
Juan Espanza
Gregoris Maldonado.

March 30. The Governor this day remitted one hundred and fifty dol
lars to John Gorman, being one half a fine assessed against him in this dis
trict court of Santa Fe County for an assault with intent to do great bodily
harm.

April 9 This day the Governor commissioned the following offic
Elected at a special election in the county of Taos viz:
Sheriff ——— Gabriel Teanttet
Justice of the Peace — Jesus Velasquas.

Constables.
Ricardo Branch.
Miguel Lopez.
Jne Maria Cordova.

Constables.
Antonio Trondragon.
Gregorio Trugillo.
Juan de Jesus Martinez.

April 26 This day the Governor issued his warrant to the ~~Sheriff~~ of
the County of Bernalillo, commanding him to hang one Pedro ~~Mart~~
who was convicted of murder in said county and sentenced to ~~suffe~~

May 12th This day the Governor Commissioned the following Officers for the County of Valencia. Santiago Gomez & Julian Sanchez, Justices of the Peace, and Manuel Trujillo, Manuel Sanchez & Julian Sanchez Constables.

May 15th This day the Governor Commissioned Cristoval Arcarate Justice of the Peace, for the County of Doña Ana.

May 16 This day the Governor commissioned Ygnacio Moya and Andres Tapia in Captain Miguel Pino's company of mounted volunteers, first and second Lieutenants respectfully, to take rank from the sixth day of May.

July 2 This day the Governor appointed and Commissioned John E. Weber Notary Public in and for the County of Bernalillo and Territory of New Mexico

July 25 This day the Governor commissioned O. P. Hovey First Lieutenant and Julio Esquibel Second Lieutenant in Captain Cunninghams company of Mounted Volunteers.

August 2 This day the Governor commissioned Lafayette Head Second Lieutenant in Captain Dee's company of Mounted Volunteers.

United States of America
Territory of New Mexico } ss.

I David Meriwether Governor of the Territory of New Mexico do hereby certify that on the eighteenth day of September A. D. 1855, and in my presence, W. W. H. Davis Secretary of said Territory proceeded to open and Count the returns of votes given at the general election, held in the several Counties of said Territory, on the third day of the present month for a delegate to the thirty fourth Congress of the United States, and that the vote of the several Counties as returned by the respective Prefects thereof, stands as follows, viz.

Counties	José Manuel Gallegos.	Miguel Antonio Otero.
Taos	1326 votes	1189 votes
Rio Arriba	1307 "	619 "
Santa Fé	1380 "	153 "
San Miguel	1397 "	441 "
Santa Ana	366 "	297 "
Bernalillo	120 "	1791 "
Valencia	506 "	1015 "
Socorro	33 "	976 "
Doña Ana	479 "	334 "
	6914	6815
	6815	
Majority for José Manuel Gallegos	99 votes.	

Therefore I the Governor aforesaid

do declare and make known that the &c
is duly elected the delegate from the said &c
Congress of the United States according &c

In testimony &c
Signed my name &c
of the Territory of &c
eighteenth day of September &c
D. C. &c

By the Governor
W. W. H. Davis
Secty. Terry. New Mexico.

September 18 The Governor this day commissioned the following County Officers of the Territory, who were elected at the late general Election held within their respective Counties on the third day of the Present month. Viz:

For the County of Taos

Horace Long — Judge of Probate
Ezra A. De Pew — Sheriff

Justices of the Peace

Julian Duran
Pedro Trujillo
Matias Medina
Juan Alvarez
Jose Ledus
Miguel Vigil
Vicente Romero
Felipe Tafoya
Matias Ortega
Marcelo Lobato
José Tafoya
Manuel Martinez
Juan Antonio Martinez
Rafael Chacon

Cristoval Salazar
Aniceto Sanchez
Juan Fernandez
Juan de los Reyes Romero
Faustin Abeitia
Agapito Vigil
Pedro Pino
Joaquin Romero
José Montoya
Antonio Gallegos
Salvador Duran
Alvino Cordova
Joaquin Sandoval
Ramon Leiba

Constables

For the County of Rio Arriba

Juan Antonio Roibal — Judge of Probate
Francisco Antonio Mestas — Sheriff

Justices of the Peace

José Manuel Mestas
Juan Lopez
Ramon Pacheco
Felipe Casillas
Sabino Salazar
Francisco Estevan Salazar
Juan Pablo Trujillo
Antonio Guadalupe Cordova

José Salazar
Florencio Borrego
Francisco María Lucero
Antonio Simmons
Jesus María Cordova
Miguel Antonio Herrera
Juan Garcia
Benito Cordova

Constables

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1855.

September 18th

For the County of Santa Fé.

Miguel E. Pino — Judge of Probate
Jesus Maria Baca y Salazar — Sheriff

Justices of the Peace.

Jesus Maria Ortiz
Jose Maria Gonzales
Nicolas Quintana
Luis Baca
Vicente Lopez
Rafael Romero y Baca
Martin Gallegos
José de la Cruz Chavez.

Constables.

Jesus Quintana
José Leon Romero
Benito Borrego
Luis Maria
Pedro Lopez
Miguel Sarbiz
Miguel Lucero
Fernando Peña.

For the County of San Miguel.

Francisco Lopez — Probate Judge
Prudencio Lopez — Sheriff

Justices of the Peace

Teodoro Sandoval
Miguel Romero
Lorenzo Aragon
Faustin Baca y Ulibarri
Dionicio Pino
Ramon Leyba
Pedro Alcantar Vigil
Agustin Quintana
Antonio Baca y Sisneros
Pedro Archibeque
Teodoro Montoya
Matias Garcia.

Constables.

Juan Antonio Arguello
Ferrel Herrera
Esquipula Tenorio
Juan Tomas de Herrera
Patricio Peña
Esquipula Flores
Pedro Aragon
Nepomuceno Martin
Juan Lucero
Juan José Gallegos
Rafael Gonzales
Deciderio Cordova

For the County of Santa Ana.

Francisco Tomas Baca — Judge of Probate
Jesus Maria Silva — Sheriff.

Justices of the Peace

Eucebio Baca
José Valverde
José Mieras
Vicente Romero.

Constables.

Pascual Apodaca
Manuel Serna
Francisco Gurulé
Eucebio Gurulé.

For the County of Bernalillo.

Julian Perea — Judge of Probate
Ygnacio Gallegos — Sheriff.

Justices of the Peace

Juan Ygnacio Martinez
Miguel Gonzales
Antonio Lerma
Julian Tenorio
José Armijo
Juan Padilla
Ygnacio Lopez
José Zamora

Constables.

Pedro Salazar
Trinidad García
José Manuel Padilla
José Martin
Antonio Sandoval
Francisco Mariño
Francisco Gutierres
Pablo Griego

Continued

1855.

September 18

For the County of

Antonio José Luna — Judge of Probate
Juan Aragon y Chavez — Sheriff
José M. Padilla
Francisco Antonio Otero
Bernardino Torres
Clemente Chavez
Julian Sanchez
Baltazar Jaramillo
Juan Durán
Juan Luna
Vicente Sanchez.

Justices of the Peace

Juan
Manuel
Manuel C.
Manuel Trujillo
Jesus Torres
Vicente Romero
Jesus Marino
Cruz Rubi
Ygnacio Chavez

Constables.

For the County of Socorro.

Juan José Baca — Probate Judge
José Apodaca — Sheriff
Juan Montoya
Juan Naranjo
José Cordova
Fabian Gonzales
Silvestre Abeitia
Pablo Montoya.

Justices of the Peace

José Ramon Sanchez
José Chavez
Juan Peralta
José Rafael Apodaca
Dolores Gallegos
Ysabel Garcia

Constables.

For the County of Doña Ana.

Cristoval Escarate — Judge of Probate
Jesus Lucero — Sheriff.
Agapito Valencia
Alejandro Ramirez
Thomas S. Bull
Miguel Montoya
Francisco Sanchez
Cesario Duran

Justices of the Peace

Adolphus Beck
Mariano Roibal
Ezequio Duran
Rosalio Trujillo
José Cordova
Eugenio Romero.

Constables.

September 20 The Governor this day accepted the resignation of Charles L. Spencer Treasurer of the Territory of New Mexico.

20 The Governor this day appointed and commissioned Elias T. Clark Treasurer of the Territory of New Mexico in the place of Charles L. Spencer resigned.

21 The Governor this day remitted to Boyle Callaghall twenty five dollars, in part of a fine imposed upon him by sent of the United States district Court, of Santa Fé County, for an and battery with intent to kill.

55 14

September 27 This day the Governor transmitted, to the Treasury department of the United States, an estimate of the funds necessary to be appropriated by Congress, for the Territory of New Mexico, for the fiscal year ending June 30th A.D. 1857.

— 28 This day the Governor appointed and commissioned Louis D. Hoard Commissioner of deed for New Mexico, in and for the state of Illinois.

Oct 1st Governor David Meriwether, this day left the seat of Government of this Territory, on a leave of absence obtained from the Department of State at Washington leaving H. H. H. Davis Secretary of the Territory in charge of the Executive Department as provided for by the Organic Law of the Territory

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Santa Fé Territory of New Mexico

Record of the Acts and Proceedings of Acting Governor H. H. H. Davis in his Executive Departments.

Oct 1st This day the Governor appointed and commissioned Edmund J. Gurney Commissioner of Deeds for New Mexico in the State of Pennsylvania.

Oct 4th

Executive office Santa Fé New Mexico
Santa Fé Oct 4th 1855

Chas. F. Clark Esquire.
Las Lucas
New Mexico.

Sir;

Soon after the announcement of your appointments to the offices of Secretary of the Territory, the Honorable Perry E. Brocchus, district judge of the second judicial district, made serious charges, in writing, against you, touching your official conduct while a Clerk of the district Courts over which he presided, & leave to request that, as soon as possible after the receipt of this communication, you will take the necessary steps to free yourself from the imputations made

against you, and, until this
the necessity of so withdrawing your
my approval of your official bond
are hereunto enclosed.

I have the
Very Respt
Your Obt
W. W. Mc.
Acting Gov

Oct 24 This day the Governor appointed and commissioned Gordon L Ford of Ravenswood, Queens Co. N.Y. Commissioner of Deeds for New Mexico in and for the State of New York.

Oct 27 This day the Governor commissioned Juan Montoya a Justice of the Peace in the County of Socorro.

Oct 27 This day the Governor appointed and commissioned William H Price of Sacramento. Cal. Commissioner of Deeds for New Mexico in and for the State of California.

Oct 31st This day the Governor appointed and commissioned David S. Garland to be Notary Public in the County of Doña Ana County of New Mexico.

Nov 7 The Governor this day accepted the resignation of Julian Pena as Probate Judge for the County of Bernalillo.

Nov 8 The Governor this day issued the following

Proclamation

By virtue of the powers conferred upon me by law I, W. W. H. Davis Acting Governor of the Territory of New Mexico, do hereby order and direct Julian Pena, Probate Judge in and for the County of Bernalillo in said County, to issue his writ of Election, for an election to be held in the various precincts of said County of Bernalillo, to elect one Probate Judge for said County to serve the unexpired term of the said Julian Pena.

In testimony whereof I have hereunto set my hand and affixed the seal of the Territory of New Mexico, at Santa Fé, this eighth day of November 1855.

{Seal}

By the Governor
H. L. Light

W. W. H. Davis

Nov 31 The Governor this day pardoned Mathias Romero sentenced to one years imprisonment in the Penitentiary at the September term of the District Court for the County of Santa Fe

Dec 1st The Governor this day commissioned Joaquin Domingues a Justice of the Peace in and for the County of Santa Fe.

Dec 4th The Governor this day commissioned José Maria Garcia a Justice of the Peace in and for the County of Doña Ana

Dec 4 The Governor this day commissioned Santiago Trujillo a Justice of the Peace in and for the County of Doña Ana.

Dec 4 The Governor this day commissioned Silverio Doné as Constable in and for the County of Doña Ana.

December 3. The Governor this day delivered the following Message to the Members of the two Houses of the Legislative Assembly of the Territory of New Mexico.

Gentlemen of the Council
and House of Representatives;

The fourth section of the Organic Law authorizes and requires the Secretary of the Territory, in case of the absence of the Governor, to execute and perform all his powers and duties, during such absence; and I appear before you to-day in the discharge of the duties thus made incumbent upon me.

We have great cause to return thanks for the manner in which Providence has smiled upon us during the past year. We have been blessed with refreshing rains for the growth of crops, and the labors of the husbandman have been rewarded by a plentiful harvest. Prosperity has attended every avenue of business; and while people have hardly been able to procure food enough to sustain life, in other sections of the Union, here there has been an abundant supply for all, and at reasonable prices. We have been preserved from the fearful diseases that annually desolate some of the fairest portions of our land; and with the exception of occasional conflicts with the Indians, now happily terminated, our whole population have lived in peace and happiness under the benign laws of the general and territorial government.

In fulfilment of the obligations imposed upon me by law, it becomes my duty to lay before you the condition of the Territory, and to recommend such measures as I may deem expedient and calculated to promote the public interest.

It affords me pleasure to inform you that we are at peace with the various Indian tribes of the Territory. At the close of the past year the depredations of the Indians had become so frequent in various parts of the Country, that the military Commander of this department deemed it necessary to call upon the Executive for volunteers to assist the regulars in chastising the savage foe. The Governor made his requisition for six companies of mounted volunteers, to serve ~~the period of six months~~ called

December 3. duly mustered into the service of the Unit
the call of the Executive with commendable pa
were raised than could be accepted; and those u
mortified that they were not allowed to bear arms
try. In the month of January last the tide of succes
our wily foe, and continued to run in favor of our arm
sued for peace. The first check they received was in the encou
Sturgis with a band of Mescalero Apaches on their return from
Expedition into the County of Santa Fé. About the same time Capt
with a force of dragoons and infantry, penetrated into the heart of
calero country, and defeated the Indians in a sharp action with consid
loss, including their head Chief.

In the month of March a force of nearly a thousand men, composed
of regulars and volunteers, took the field against the Indians. Two expeditions
were organized; one in the south commanded by Col. Miles, third United Stat
infantry, in pursuit of the Mescaleros, and the other in the north, under
the Command of Col. Fauntleroy, first United States dragoons, and Lieu
Col. St Vrain, mounted volunteers, in pursuit of the Utahs and Jica
rilla Apaches, both of which were entirely successful. The campaig
in the north was almost wholly amid the snows of the Rocky Moun
tains, and the service performed was among the most arduous to be
met with in military life. In the south the troops again penetrated the
Country inhabited by the Mescaleros, in the hearth of which was estab
shed a permanent military post. The effect of these campaigns was
cause the Indians to lay down their arms and sue for peace. During
the past summer His Excellency, Governor Merriwether, appointed sole
Commissioner for that purpose, met the various tribes in Council, a
Concluded satisfactory treaties with them. A certain district of Countr
is set apart for each Tribe to inhabit, and they on their part pledge themselves
cultivate the soil for a living. After these treaties shall have been ratified by
the Senate of the United States, and their provisions carried out, I feel confiden
that our Territory will suffer no more from depredations by these Indians. The ter
of service of the volunteers expired the beginning of August last, when they
were discharged, having been noticed, in orders, in the most complimentary
manner by the Commanding General of the department. The regulars, officers
and men, as well as the volunteers, distinguished themselves in the discha
of their duty, and deserve the thanks of the Territory for their meritorious
service. By the act of Congress of the third of March, 1855, the volunteers are
each entitled to one hundred and sixty acres of land; but as the warra
cannot issue to them, until they shall have received their pay, I wou
recommend that you memorialize Congress, at an early day, to make
appropriation for that purpose.

Since the meeting of the last Legislature, the Surveyor General
for our Territory, has arrived and entered upon the duties of his off
veys are progressing as rapidly as possible, and it is expected
land will be brought into market the ensuing year.
Office, is defective in many of its

number 3. other particulars contains very liberal provisions in favor of our citizens. Each actual settler is entitled to one hundred and sixty acres of public land, which will secure a comfortable home to himself and family, almost without expense. This is a more liberal provision than Congress has made for any other Territory, with the exception of Oregon, and exhibits the paternal solicitude the general government has for the interests of our people. The resent treaties, made with the Indians, will open to settlement a large scope of country hitherto inaccessible, some portions of which embrace among the finest land in the Territory. That section known as the Bonito country is particularly desirable for farming and grazing, being well wooded and watered, with a fruitful soil, and a pleasant and healthful climate. No part of our country offers more inducements to the enterprising settler, in the promise of a bountiful return to his labors. In this connection allow me to call your attention to the importance of extending all the aid in your power to agriculture, because no occupation is more worthy your fostering care. It is the oldest of all human pursuits, and was the first occupation man engaged in after the creation of the world. It can lay claim to divine origen, for we read in the holy record, that after God had formed the garden of Eden, he placed Adam in it and directed him "to dress it and keep it." The cultivation of the soil being the foundation of the means of living, and the source of the real power and prosperity of every country, entitle it to pre-eminence over every other pursuit in life, and should draw to it the paternal care of every wise government.

There appears to be a necessity of more stringent laws to prevent frauds in elections. The right of suffrage is the dearest political right that freemen posses, and every possible safeguard should be thrown around its exercise, so that the popular will can be fairly expressed. The ballot box should be safe from every unlawful interference, and every species of fraud committed in an election should be severely punished. If the voice of the people cannot be fairly expressed, in the choice of public servants, the right of suffrage becomes a mockery, and our republican institutions cease to derive their just powers from the consent of the governed. Whenever fraud is perpetrated the people doubt that the acts of their political agents have the sanction of the majority, and, in consequence, they lose confidence in the government itself. I would, therefore, recommend the passage of a law making it a penal offence for the perfect to refuse, or neglect to count the votes without unnecessary delay, or to forward the returns to the office of the Secretary of the Territory; for any one to take the poll books from the messenger, or for him to deliver them to another; or for any person to obstruct, in any manner whatever, the returns being sent in, as prescribed by law. I would also recommend the passage of a law forbidding betting upon elections, making the offence punishable by fine or imprisonment, or both. This practise is a very pernicious one, and parties, who are interested in bets, are often induced to practice fraud in order to secure the success of their favorite candidate, and win the money they have at stake.

There is a comity between the respective States of the Union, in regard to the arrest of Criminals who flee from one to another. In all such cases the fugitive is arrested upon suspicion, and held until the authorities, whence he fled can demand him, when he is given up, at the cost of the party making the application. There seems an obvious impropriety in the States thus surrendering up Criminals to each other, and I would recommend the passage of a similar law in this Territory authorizing the arrest of such fugitives upon well-founded suspicion, and their detention until they can be d[illegible]

By a recent act of Congress, relating to a
each one, that has not heretofore received its quota, a
with the necessary equipments. During the past sea
Meriwether, received notice from the Chief of Ordenanc
Mexico was entitled to this number of muskets, with i.
hundred and thirty-seven more, or their equivalent in other a
the quota of 1855, and which he was informed would be delivered
in the Territory he might designate. In view of these arms being received a
coming summer, I would call your attention to the necessity of a law prov
the distribution of the same among the respective counties of the Territor

Since the adjournment of the last Legislature, work has been resumed u
the public buildings, which was continued the past season until the middle
October. The Secretary of the Treasury of the United States authorized the Governo
of the Territory to select a site for the penitentiary, which he located upon the
north-West corner of the same square of ground, on which the state house is being
erected. The foundation of the former building is completed, in the most substan-
tial manner, and a considerable amount of work has been done upon the latter.
Operations will be resumed upon both buildings, as soon as practicable in the
Spring, and it is to be hoped they can be carried forward, the coming season, well
towards a state of completion. Both buildings are much needed by the wants
of the Territory; and when the penitentiary shall have been completed, the facilities
it will afford for the punishment of Criminals, will, I have no doubt, have a
salutary effect on the diminution of Crime.

During the session of the Legislature in December, 1847, an act was passed
in relation to the Pueblo Indians. It creates and constitutes the several pueblos
bodies politic and corporate, with perpetual succession to them and their succes-
sors with the right to sue and be sued, bring and defend actions, and grants them
other legal privileges enjoyed by our citizens. The government of the United States
has always considered the Indian population of the country in the light of wards,
with whose welfare she is especially charged. Congress makes such needful laws
as may be required in their intercourse with our citizens, and has never recog-
nized the right of any State or Territory to legislate for them; which if they
can do in one instance they can do in every other, and thus would have it
in their power to remove them entirely from under the fostering care of the
general government. It is true that the Pueblo Indians occupy a position some
what different from that presented by the wandering tribes, being permanent
settled on villages, and enjoying a higher degree of civilization, but this is
not sufficient to remove them from the immediate jurisdiction of the United
States. I consider the act in question as mischievous in its tendencies, and calc
lated to work injury to this simple-minded people. It fosters, among the differ
pueblos, a spirit of litigation; and when any difficulty arises between them
stead of submitting its adjustment to those appointed, by the United S
look after their immediate welfare, they resort to our courts, where
is more likely to be widened, than healed. That such has been
this law we have abundant evidence. Within the last eighteen mo
neighboring pueblos of Laguna and Acoma have
to settle the most trifling differ

ing. It may be years before all these suits are settled, when the Indians will probably find themselves stripped of the little personal property they possess, besides a hostility engendered that time cannot reconcile. For these reasons I suggest the propriety and necessity of repealing this Law, that this class of persons may alone be subject to the legislation of the national government.

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I would recommend that you Memorialize the Postmaster General to increase the mail facilities between the States and our Territory. The geographical position of New Mexico, being in the heart of the Continent, and bounded on every side by immense desert plains and rugged mountains, renders it more distant from the general government than any other portion of the Union over which waves our flag. There are many reasons why the intercourse with the home government should be increased. Three months are now required before a reply can be received by mail from Washington, in the most pressing emergency, and not in that time, unless prompt attention is given; and this delay often seriously embarrases our public officers. To the great mass of the people of the States, our Territory is almost an unknown land, and even the best informed have but a very limited knowledge of it. By a more frequent intercourse and interchange of intelligence with other sections of the Union, our people will become better known, our resources understood, and the attention, of those seeking new homes westward, directed to our valleys and plains. Although nature has not lavished her bounties upon our Territory with so profuse a hand as mark her gifts to other portions of our happy Country, it has not been wholly neglected in the bestowal of blessings. Our barren and rugged mountains are interspersed with fertile vallies which yield a good return to the husbandman, and our plains, unsurpassed in extent furnish fine pasture to flocks and herds, where they can roam throughout the year. Our mountains abound with the useful and precious metals, and enterprise and capital only are wanting to develope them in great profit. Grapes of a delicious quality thrive in abundance, from which an excellent wine is made, with small expense. In point of climate New Mexico is not surpassed by any portion of the world. The sky is more pure, clear and healthful than that of Italy, and there is a freedom from disease that is unknown in any other Country. A farm awaits every one who comes donated by the liberality of the general government. These inducements, with a prospect of a permanent peace with the Indian tribes, are sufficient to invite emigrants to take up their homes among us, and assist in developing the resources of the Country.

The fifth section of the Organic Law provides that "An apportionment shall be made, as nearly equal as practicable, among the several Counties or districts for the election of the Council and House of representatives, giving to each section of the Territory, representation in the ratio of its population, (Indians excepted), as nearly as may be." This has never been done as the act of Congress contemplates. The act of Assembly, under which the present apportionment was made, is that of January 6, 1852, and is so manifestly unjust and unequal, that justice to the respective Counties and districts calls for its modification. The only true basis of representation is that made in proportion to the ratio of population, and when adjusted in any other manner, injustice is sure to be done; some districts are deprived of their proper voice in the Legislature, while others are allowed more than entitled to. This is [illegible]

December 3. house of the representatives as the apportionment, upon the Arriba, with a population of nineteen hundred members, while Bernalillo and San Miguel, with the latter with a hundred votes less than Rio Arriba three members. And while Santa Fé, with a vote of four members to the lower house, Valencia, with the same vote, three members. This unequal representation is evidently unjust. I recommend that the law be so modified that each County shall have representation in proportion to its population. As a basis, for the present, you can either take the United States census of 1850, the basis of the last election, or authorize the census to be taken anew.

The county jails and court houses are in a very ruined condition, and your attention is called to the necessity of an appropriation to place them in a proper state of repairs. The want of necessary buildings for the confinement of Criminals is severely felt in the administration of justice, and greatly retards the punishment of Crime. In some of the Counties the jails are so insecure that they cannot be used as such, and Criminals are sometimes turned over to the military authorities for safe keeping. This state of things leads to infractions of the law, for bad men are more disposed to commit offences when the prospect of punishment is remote, than when immediate. The certainty of punishment, more than its severity, has a tendency to prevent Crime. In most of the Counties the Court houses are in no better Condition than the jails, and are wholly without accommodation for the Courts. Every Citizen is interested in the administration of justice, and safe keeping of Criminals so that they cannot depredate anew upon the Community and it becomes their duty to provide the necessary buildings for these purposes. These repairs cannot be made without a considerable outlay of money, and I earnestly recommend that you make the necessary provision for these objects.

One of the most important duties, that will devolve upon you during the present session of the Legislature, will be a revision of our revenue laws, and to which I would call your early attention. There is no subject of legislation that requires more care in its adjustment, or is more vital to the prosperity of a state, than a judicious system of taxation. The burdens of government should be borne by all the members thereof, according to their ability to bear them; so that no citizen shall be obliged to pay more than his equitable proportion. In our Country representation and taxation are hand maidens in our republican system; and no one can justly refuse to contribute his portion to the support of a government which protects him in the peaceful enjoyment of life, and liberty, and the possession of property. No government can exist without a sufficient amount of revenue to keep the necessary machinery in motion. Public servants should receive such Compensation as will insure a faithful discharge of their duties, which will not be the case, if the state lacks the necessary means to pay them.

The finances of the Territory, at the present time, are in a very embarrassed condition. The treasury is without funds, and the Credit of the Territory nearly bankrupt. Officers of the government are many months in arrears, in their salaries, and no present prospect of their being paid. New warrants are issued, for which the holders have to shave about for sale, and many are willing to sell at any price, rather than wait the uncertain

December 3. Territorial treasury. It is often the case, for a considerable lenght of time, that there is not a dollar in the treasury, and the officers are obliged to ask credit for the necessary office expenses. Now I ask you, as the representatives of the people, and the guardians of the public welfare, what should be done under the circumstances? There can be but one response: the revenue laws should be so amended as to yield an amount equal to the current expenses of the government, and thus place the public credit upon a solid foundation.

The present system of taxation is highly objectionable in its features, inasmuch as the real wealth is not taxed, but all the burdens are borne by the active business interests of the country. The revenue that is raised is derived from licences alone, and neither real nor personal prosperty pays a dime towards the support of the government. This is a very unfair system of taxation, and is at variance with the long established rule, that each citizen should be taxed in proportion to his wealth. If a man keeps store he pays to the Territory from thirty to eighty dollars per annum, and as much, or more, to the County, while the rich proprietor who owns extensive possessions, is neither taxed for his houses, lands, nor flocks and herds. A system of revenue that imposes the whole burden upon the merchants and traders, and exempts the wealth of the country, is obviously wrong, and requires alteration.

I would call your attention to the propriety of repealing all laws authorizing gambling, and recommend that it be made a penal offence punishable by fine and imprisonment. This is a vice too pernicious in its tendencies to receive the sanction of the laws, and should be frowned upon by every good citizen. It is the parent of numerous other vices — that wait upon it — it fosters habits of idleness, entices youth from the paths of rectitude sobriety, and honesty, and often leads to crimes of the highest grade. Every community has a right to expect that each member thereof will contribute his share to the aggregate wealth and prosperity of the whole; but when gambling is made to a degree, respectable and sanctioned by legal enactment, you invite among you a set of drones and idlers, who — consume your substance without producing anything. This, however, is a small part of the objection to be urged against this vice, compared to the injury it does in demoralizing our citizens, and helping to make paupers and criminals. At the present time ours is the only State or Territory in the Union in which gambling is authorized by law, and if we continue to encourage and legalize it, it will not speak well for the morality of our people. It may be urged against the repeal of these laws, that it will deprive the Territory of the revenue derived from this source; but with equal propriety it — might be urged that we should legalize every other description of vice that would yield any income to the treasury. Such means of raising revenue have long since been abandoned by every Civilized state, and should not be resorted to here. Gambling is fearfully prevalent among all classes in our Territory, and some legislation is required to check this growing evil.

I would respectfully call your attention to the cause of general education and request that you take such action upon it, as will, in your opinion, be most likely to diffuse it more generally among the people. In this age of the world, when — knowledge, in every department of learning is making such rapid advance towards universal intelligence, those who would not be left behind in the great race of power, wealth and happiness, must give this subject their — undivided attention. Education and intelligence are the political and social life blood of a state, and are as necessary to its prosperity and happiness as water to the growth of ve[illegible]

Number 3. the former elevates the moral and social
standard of humanity; and while one makes
honor to the state, the other leads him to.

In our country there is great reason why edu
among the masses. The government under which we
ve to be the most perfect system devised by man, derives
stability from the intelligence of the people. In theory and pr
upon the capacity of the people to govern themselves; but if they
they are incapable of discharging the functions of self government,
fonated system loses its vitality. In a republican government the mo
places of trust and profit are open to all the citizens; the high born and
lowly, the rich and the poor, have equal opportunity of public distinction and
rendered incompetent by ignorance, or by vice, unworthy. This, of itself, should
be sufficient stimulous to enlist every man in the cause of education, that
himself or his children may enjoy the promised honors of our free institutions
The standard of education is at a very low ebb in our Territory, and demands
immediate legislative attention. We are almost without schools and books. The cens
x us of 1850 exhibits to us, that in New Mexico, in a population of 61,547 there wer
25,089 adult persons who could not read and write, and at the same time
there were only 466 children attending school. Of the adults who could not
read and write, 13,334 are males, a number about equal to the whole votable
inhabitants of the Territory. This shows a fearful amount of ignorance among
our people, and is ground to question their ability to make a proper use of the
political power intrusted to them. In comparison with our sister Territories,
I regret to say that we fall far behind them. In Oregon, in a population of
13,294, there were, at the same time, only 162 adults who could not read and
write; and in the Utah there were 154 in a population of 11,380, in the
same condition. In the former Territory there were 1877, and in the latter
2035 children attending school. From these figures it appears that our
children are growing up in ignorance, and not being prepared to discha
ge the important social and political duties that must devolve upon them
If we wish to take rank with the rest of the Union in intelligence, we
must dispel the cloud of ignorance that hangs over us, by educating the
rising generation.

I am well aware that the resources of the Territory are limited, and
however well disposed, it is not in your power to accomplish much in
the great work of education. From our inability to sustain a system
of education adequate to our wants, I would recommend that you
lay our condition before Congress, and respectfully solicit aid from
the general government. Congress has often shown a paternal car
for this remote section of the Union, and cannot turn a deaf
to our necessities. Heretofore the 16 and 36 sections of land
each township were granted the Territory for school purposes;
from the physical formation of the country, so large a por
surface being rocky mountains and barren plains, the
these sections do not promise much revenue. I re
mend that you memorial

December 3. they appropriate a certain sum of money for educational purposes in this Territory; the principal to be invested by the general government, and the interest arising therefrom to be expended in such manner, and under the direction of such officer as Congress may direct.

I herewith transmit to the Legislative Assembly the annual reports of the auditor and Treasurer, which will exhibit the condition of the finances of the Territory, for the fiscal year ending the fifteenth of November last. From them it will be seen that the amount received into the Treasury during the year was $8,735. 34. And the amount paid out during the same period was $11,668. 57 2/3 showing a balance against the Territory for the fiscal year of $2,933. 23 2/3 — which being added to $3,242. 22 the amount outstanding last year, shows the total indebtedness to be $6,175. 45 2/3, and which remains unprovided for.

Although our remote situation happily exempts us from the political agitations that prevail in other sections of the Union, we cannot be uninterested spectators of passing events. Fanaticism and treason to the Constitution and laws of the United States seem to have had breathed into them a new life, and are now running riot in the land. We see secret oath-bound societies waging a politico-religious Crusade against our adopted Citizens seeking to deprive them of their Constitutional rights, And to reduce them almost to a state of vassalage, asking that they shall bear all the burdens, but not be allowed to enjoy any of the rewards of government. It is contrary to reason and experience to make the birth-place a test of fidelity or merit, when it is known that these qualities exist among men without distinction of race or clime. I do not hesitate to say, that as a body, our adopted Citizens are as much devoted to our institutions as the native born, and our history shows that they have never been tardy in shedding their blood, or laying down their lives in defence of the Union. The most objectionable feature in this new organization is the religious aspect it wears. Professing Christians of various denominations, have banded themselves with the political fanatics of the day, And, in forgetfulness of the precepts of Him whom they profess to follow, have turned the vials of their wrath upon a single sect, which worship in common with them, the same God and the same Redeemer. This may be Christian Charity of the nineteenth century, but it is not that taught by the Saviour of mankind. The history of the world has been made a bloody record by arousing the fierce passions of men upon the subject of religion, and it will be an evil day for our Country when it shall become an element in our popular elections, because religious fanaticism knows no bounds. It will be time enough to array ourselves against the Catholics of the United States when we see evidence to call in question their patriotism.

In one section of the Union the mad spirit of fanaticism has assumed a more tangible shape, and broken out in rank treason against the Constitution and laws of the United States. The legislature of Massachusetts, at their last session, passed an act annulling a law of Congress, and fixing a heavy penalty upon any one who shall assist in carrying it into effect in that State. An attack of this kind, upon the Constitution, is a blow at the integrity of the Union, and in a moral point of view is as much treason as though the people had resisted with arms in their hands. When a state sets herself up in opposition to the general ~~government, and the Constitution, as to what laws shall be obeyed, the~~

December 3. former will have to give way, and, if our
United States is the result of mutual con-
compromise of conflicting interests, without c
and its adoption by the states was a sacred
would remain faithful to the obligations it impose
proper to violate her plighted faith, and thereby has
eyes of the other states. When any member of the Union
obligations, it becomes the duty of every other State and
notice of such dereliction and call the erring one back to a
cause of deep mortification that this, hitherto proud old State
whose history clusters so many holy memories of the fact
tion had its birth and was rocked while yet in swadling cloth
whose storied cairn points to Bunker's Hill and Lexington, to a Hancock
and an Adams, that a State thus endeared to the Union should forget her
solemn obligations, and lift a hostile hand against the Constitution, the great
ark of our political safety. May the returning patriotism and sense of
duty of her people speedily wash away the dark blot that now rests upon her escut-
cheon.

In conclusion, gentlemen, allow me to call your minds to the important duties
you have to perform as representatives of the people, who, for the time being, have
intrusted to you the power of making laws for their welfare. It will afford me
pleasure to render you any assistance in my power, in the discharge of your
duties; and it is my earnest wish that harmony may preside over all your
deliberations, and that each may be governed solely by a desire to advance
the public good.

W. W. H. Davis

Executive Office, Territory of New Mexico,
Santa Fé, December 3, 1855.

December 6. This day the Governor Commissioned the following officers, viz and for the County
of Bernalillo, Manuel Armijo Probate judge, Blas Lucero Sheriff, Mariano
Sandoval Justice of the Peace.

December 24. The Governor this day Commissioned Malcom W. Maris Commissioner of Deeds
in and for the State of Maryland, for the Territory of New Mexico.

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Executive Office Territory New Mexico
Santa Fé December 24th 1855.

Malcom H. Mearis Esquire.
Baltimore Md.

Sir.

Herewith I transmit you a letter enclosed please find a Commissioner, as Commissioner of Deeds of the Territory of New Mexico, in and for the State of Maryland: and before you enter upon the discharge of your duties as such Commissioner, you will be pleased to comply with the Act of Assembly herewith enclosed.

I remain
Very Respectfully
Your Obt Servant
W. W. H. Davis

Executive Office, Terry. New Mexico
Santa Fé December 31st 1855.

Hon. Thomas L. Smith
First Quarter Mst. Treasury
Washington D.C.

Sir

Enclosed, please find my accounts, for disbursement of Executive Contingent fund, for the quarter ending December 31st 1855.

I remain
Very respectfully
Your Obt Svnt
W. W. H. Davis
Acting Governor.

December 14. The Governor this day approved a joint Resolution of the Legislative Assembly in reference to the military Commander of Santa Fé escorting the national flag during the session of the Legislature

" 29. The Governor this day approved the following Memorials and joint Resolutions. viz

1. Memorial to the Congress of the United States in reference to the pay of the mounted volunteers.
2. Memorial to the Congress of the United States in reference to the pay of the Militia called into service in 1854
3. Memorial to the Post Master General in reference to increased mail facilities.
4. Memorial to the Congress of the United States asking an appropriation for the building of bridges across the Del Norte.
5. A joint Resolution authorizing a joint Committee to revise and conclude the Criminal Code.
6. A joint Resolution authorizing a joint Committee to Memorialize the Secretary of war in reference to the road from Tecolote to Albuquerque.

31. This day the Governor approved a joint Resolution to the President of the United States for the Removal of Judge Beaubien

1856.

January 1st This day the Governor approved the following

1. An act changing the County line
2. An act authorizing Prefects to grant
3. An act relating to Sheriffs
4. An act repealing that part of an act cre precinct in Taos County approved Feb
5. An act establishing an additional precinct in Taos
6. An act establising the office of public recorder.

January 7th The Governor this day approved the following Act and Joint Resolutions of the Legisla

1. An Act providing an additional precinct in the County of Rio Arriba.
2. A Joint Resolution, tendering the thanks of the people of this Territory, to the officers & men of the U. S. A. for their gallant services in the late war with the Indians.
3. A Joint Resolution, tendering thanks to the Colunteers for their promptness in responding to the call in the defence of the Country.
4. A Joint Resolution, authorizing a Joint Committee, to memorialize the Secretary of War, relative to the speedy repair of the road from Fort Union to Santa Fé.

January 10. The Governor this day Commissioned Manuel Romero, Justice of the Peace for the County of Santa Fé.

January 10. This day the Governor approved the following acts, and Memorials, of the Legislative Assembly.

January 10. 1. An Act, providing for the apprehension fugitives from Justice within this Territory.

2. An Act Changing the Limits of sixth precinct in Bernalillo County.
3. An Act establishing three additional precincts in the County of Taos.
4. A memorial to the Secretary of War, relative to the speedy opening of the road from Tarlote to Albuquerque.
5. A memorial to Congress relative the opening of the Santa Fé Lake.

January 12. The Governor this day appointed and commissioned Augustus De Marle Auditor of Public accounts, for the Territory of New Mexico.

Jany. 12. The Governor this day appointed and commissioned Jesus Mª Baca y Salazar Keeper of the Territorial Prison, for the Territory of New Mexico.

January 19. Governor this day approved the following Acts, and joint Resolutions of the Leg. Assembly.

1 An Act, relative to persons that disturb good order.
2. An Act, punishing slander used in Churches.
3. An Act, authorizing the Judges of the District Court to appoint Interpreters in certain cases
4. An Act, relative to Constables.
5. An Act, Creating police Officers
6. An Act, prohibiting any Justice of the peace from holding Court out of his precinct
7. Joint Resolution, requesting the Governor to inform the Assembly, relative to the present state of the militia.
8. Joint Resolution, tendering the thanks of the Assembly to Colonel Brown & [illegible] and Command, for gallant services in the late [illegible]

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1856

January 24. The Governor this day commissioned Rafael ortiz Constable, in and for the County of Santa Fé.

January 30. The Governor this day ~~approved~~ the following Acts, Joint Resolutions and Memorial, of the Legislative Assembly of the Territory of New Mexico, to viz:

1. An Act, punishing persons who use false weights and measures. X
2. An Act, amendatory of an act, defining the limits of the different Counties Approved Jan'y. 9th 1852.
3. An Act, relative to Probate Judges.
4. An Act, annexing Bernal and the two Hermanos, to the first precinct in San Miguel County. X
5. An Act, authorizing the Justice of the Peace of 7th precinct, of the County of San Miguel to hold his Courts in Guadalupe.
6. An Act, creating the action of Account render.
7. A Joint Resolution, requesting the Governor to forward copies of all Memorials passed at this Session, to the Delegate in Congress.
8. A Joint Resolution, for the appointment of a Joint Committee to wait on the Governor and request him to call out five volunteer Companies. X
9. A Joint Resolution, relative to the establishment of certain military Posts.
10. A Memorial, praying Congress to donate public Lands to Rail road Companies.

January 31. The Governor this day approved the following act, of the Legislative Assembly.

1. An Act creating and organizing the Atlantic and Pacific Rail road Company.
2. A Joint Resolution, requiring the appointment of joint Comittee to inform His E. of the final adjournment of the Assembly.
3. A Joint Resolution Authorizing the Assembly to adjourn sine die on the 31st instant.

January 23rd 1. A Joint Resolution in reference to Indian depredations.

2. A Joint Resolution Memorializing Congress to refund the Amount paid to the Translator out of the Territorial Treasury.

23. 1. An Act repealing an act, establishing the office of Translator.

2. A Memorial to Congress asking an appropriation to pay the salaries of Translator.

~~24. The Governor this day commissioned Rafael ortiz Constable in and for the County of Santa Fé.~~

February 1st The Governor this day approved the following acts, Memorials and Joint Resolutions, of the Leg. Ass.

1. An Act, creating an additional precinct in the County of Santa Fé.
2. An Act, dividing the County of Doña Ana into seven precincts.
3. An Act, relative to fugitives from justice from other States.
4. An Act, amendatory of the tenth section of Chapter first of the jury law.
5. " " Changing the time of holding the District Courts.
6. " " Authorizing Judges of Probate to have Animals Kept under herders at Certain seasons.
7. " " Regulating the manner of repairing roads.
8. " " Repealing one Section of the Kearney Code.
9. A Joint Resolution relative to the establishment of two military Posts.
10. " " " Authorizing the Chief Clerk to have bills signed.
11. " " " Authorizing the Secretary to have the laws and journals of the present Session printed.
12. " " " Allowing four days to the Clerks of both houses, to copy acts &c after the final adjournment.

Memorial Praying Congress to establish a board of Commissioners to pass upon claims for Indian depredations.

February 1st 11 A memorial praying the establishment of
this Territory.

February 2nd The Governor this day approved the following act of
1 An Act Amendatory of the 2nd Section of Article first of
Justices Courts.

February 5 The Governor this day approved the following Act of the Leg. Ass.
1 An Act providing and establishing the means for educating the
of the Territory.
5. An Act to prevent abuses Committed by person wearing masks. X
Feby. 7. The Governor this day approved the following act of the Leg. Ass.
1. An Act Providing means for the payment of certain officers.
2 An Act authorizing Judges of Probate and Justices of the Peace to punish
depraved persons.

" 9. The Governor this day approved the following act of the Leg. Assembly.
1 An Act in relation to lunatics and habitual drunkards. X

February 11th The Governor this day commissioned Peter Sayel Aide de Camp with the
rank of Major in the Militia of the Territory of New Mexico.
" 12. An Act for the relief of witnesses in the cause of Candido Ortiz &c.
" 11th The Governor this day issued the following Proclamation.

Proclamation.

Whereas the Legislative Assembly of the Territory of New Mexico at the session begun and held in the city of Santa Fé the third day of December A.D. 1855 passed an Act establishing a system of Common schools in this Territory, approved February third 1856. And whereas the thirty second section of said Act provides that the question of acceptance of said School law in the Counties of Taos, Rio Arriba, Santa Ana, and Socorro, shall be submitted to a vote of the people of said Counties. And Whereas the said thirty second section further provides that immediately upon the approval of said act the Governor of the Territory shall order an election to be held in said Counties for the purposes specified in said act. Therefore

I W. W. H. Davis acting Governor of the Territory of New Mexico by virtue of the above recited act do hereby order and direct, that the qualified voters of the Counties of Taos, Rio Arriba, Santa Ana and Socorro meet their respective precincts in said Counties on Monday the thirty first day of March next ensuing and vote upon the question of the acceptance, or acceptance of said School law in said Counties. Those in favor of said act will write or have printed upon their tickets the words "School Law" those opposed the words "No School Law" The Prefects of the Counties will give at least twelve days notice of the day on which said election is to be held, by putting up three or more written or printed notices in each precinct. And in all other respects the said election is to be conducted as provided by law. And the returns of said election are to be made to the Secretarys office.

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February 11th of the Territory.

Given under my hand, and the seal of the Territory at the City of Santa Fé, this eleventh day of February A.D. 1856.

By the Governor
Samuel Ellison

W. W. H. Davis
Acting Governor

February 16th The Governor this day commissioned Pablo Archibeque a Justice of the Peace, in and for the County of Santa Ana, in the Territory of New Mexico.

March 4th The Governor this day commissioned Teodoro Gonzales J. of the Peace, and Carmen Gomes Constable for the county of Santa Fé

March 11th The Governor this day commissioned José Maria Martinez a Justice of the Peace, and Pablo Montoya Constable, both for the County of Bernalillo, in the Territory of New Mexico.

March 17th The Governor this day issued the following order, to the Sheriff of the County of San Miguel.

United States of America
Territory of New Mexico } ss.

To the Sheriff in and for the County of San Miguel in said Territory of New Mexico.

Greeting:

Whereas I have received official information, that at the March term of the United States district Court held in and for the County of San Miguel, in the Territory of New Mexico aforesaid one Ignacio Montaños was convicted in said Court of the crime of murder committed upon the body of one Juan de los Reyes Fernandez, and was sentenced by said Court to suffer the penalty of death. This, therefore is to command you that on the eleventh day of April next A.D. 1856. you take the said Ignacio Montaños from the jail of the County of San Miguel wherein he is now confined, to some convenient place within the limits of said County, and within the distance of one mile of the County seat of said County, and that between the hours of ten o'clock in the forenoon and three o'clock in the afternoon of said day, you then and there hang the said Ignacio Montaños by the neck until he is dead, dead, dead, and may God have mercy upon his soul.

Given under my hand and the seal of the Territory, in the City of Santa Fé this 17th. day of March A.D. 1856.

W. W. H. Davis
Actg. Govr Territy. New Mexico

By the Governor
Saml Ellison
Private Secretary.

March 17. This day the Governor issued his warrant i
Miguel, Commanding him to hang one
icted of murder in said County and sentenced

March 21st The Governor this day pardoned Francisco Anima whe
County of Santa Fé and issued the pardon to that eff

March 24 This day the Governor appointed and Commissioned Alexander C.
missioner of deeds for the State of Wisconsin.

March 25. The Governor this day appointed and Commissioned Alexander Duval Not
Public in and for the County of Doña Ana.

March 31. The Governor this day appointed and commissioned Louis D. Hoard
Commissioner of deeds for the Territory of New Mexico in the State
Illinois.

March 31 The Governor this day Commissioned Blas Duran Justice of the Peace, in and for
the County of Doña Ana, Territory of New Mexico.

April 4. The Governor this day appointed and commissioned David T. Whiting Notary
Public within and for the County of Santa Fé, Territory of New Mexico.

April 9. The Governor this day pardoned Jesus Rael who was confined in the Jail of the County
of Santa Fé, and issued the pardon to that effect.

April 12. The Governor this day commissioned José Tomas Montaño Justice of the Peace, and Pedro A.
Valdez Constable, both for the County of Rio Arriba, in the Territory of New Mexico.

April 12. The Governor this day commissioned the following Officers for the County of Taos.

Justices of the Peace.
- Antonio Gorgonio Galvis
- Antonio José Ballejos
- Jesus Maria Lucero
- Jesus Maria Velazques

Constables
- José Clemente Trujillo
- S. Bautista Archuleta
- Juan Domingo Gomez
- Manuel Valdez

April 17. The Governor this day Commissioned Francisco Chavez y Armijo Sheriff for the County
of Valencia, in the Territory of New Mexico.

April 19. The Governor this day remitted to Jesus Caballero a fine of five dollars imposed
upon him, by Luis Baca, for the offence of an Assault and battery.

April 28. The Governor this day issued his Proclamation for an Election to elect a
Probate Judge in the County of Doña Ana

April 28 — This day His Excellency Governor Merriwether returned to the seat of government, and resumed the duties of his office, after an absence of seven months in the states, on leave.

April 29 — This day the Governor appointed and commissioned James S Dozier Commissioner of deed in the state of Kentucky.

May 2. — This day the Governor commissioned José Domingo Garcia Justice of the Peace, and Antonio Candelaria Constable, both for the County of Bernalillo, Territory of New Mexico.

May 3. — The Governor this day answered a communication from Hon. Manuel Armijo under date April 30th 1856 relative to the execution of the School Laws in Bernalillo County — See Executive Letter Book page 95.

June 4. — The Governor this day Commissioned Agustin Durán Justice of the Peace in and for the County of Santa Fé.

June 5. — The Governor this day remitted twenty five dollars of a fine of fifty dollars imposed upon C A De Reus before Julian Durán Justice of the Peace in and for the County of Taos.

June 12. — The Governor this day appointed & Commissioned James H. Quinn Circuit Attorney for the Second Judicial District of the Territory of New Mexico.

June 12. — The Governor this day appointed & Commissioned Charles A. Hopping Notary Public within and for the County of Doña Ana.

June 12. — The Governor this day issued a writ for the execution of José Antonio Trujillo, under sentence passed at the May Term of the District Court, in the County of Socorro.

June 16. — The Governor this day Commissioned Feliz Sanches & Antonio Abad Romero, Justices of the Peace, within and for the County of San Miguel.

June 16. — The Governor this day answers a Communication from Francisco Lopez Judge of Probate of San Miguel County, relative to the execution of the School Laws, (See Executive Letter Book page 97.)

June 23. — The Governor this day appointed & Commissioned Julius L. Pomeroy Commissioner of deeds in and for the State of New York, for the Territory of New Mexico.

June 23. — The Governor this day Appointed And Commissioned Gen. Edward Rice Commissioner of deeds in and for the State of Massachusetts, for the Territory of New Mexico.

July 4th — The Governor this day appointed Col. John B. Grayson to deliver an address in the English language on the 4th. of July 1856.

" 25. — The Governor this day appointed Nicolas Quintana Esqr. to deliver an address in the Spanish language on the Court House, on the 4th day of July 1856.

By vertue of authority conferred by the City Council of Santa Fé approved January 12th. 1852. the following additional police regulations, submitted by the Probate, for the County of Santa Fé.

I Miguel E. Pino Jun County of Santa Fé, in the Territory of New Mexico, by virtue and vested by law, and with the approval of H. E. the Gover. do establish the following additional regulations, to those established Jan.

1st Any person or persons who shall keep a disorderly house within the limits of Santa Fé, or shall permit any rioting or other disorderly conduct within his or her premises or possessed by he or she upon conviction thereof before the Probate Judge or any Justice of the Peace of the County of Santa Fé, shall forfeit and pay any sum not exceeding twenty five dollars, and in default of payment shall be sentenced to not more than ten days confinement in the County jail at hard labor.

2nd If any owner or occupant of any lot or part of a lot within the limits of said City, shall fail or refuse to keep their portals sidewalks, and fronts on any street or alley clean and in good order and free from obstruction or if any person or persons shall obstruct incumber, or make uncleanly any street alley or Plaza of said City, by throwing dirt or any other substance thereon, or in any other manner whatever embarrass the same. he she or they so offending shall be deemed guilty of creating a nuisance and on conviction thereof as above shall forfeit and pay any sum not exceeding five dollars for each, and every day that such nuisance shall be permitted to remain, and in default of payment shall be sentenced to not more than one day at hard labour for each dollars of such fine or forfeiture. Provided. That any person or persons desiring to build or repair, or improve their premises or possessions, may occupy a reasonable portion of any street or alley necessary for such purposes, so as not to obstruct the passage along such street or alley; but on completion of such building repairs or improvement, he she or they shall be required to remove all surplus dirt and other materials, and place such street or alley in good order and Condition.

3rd If any person shall or deposit any other encrument under any portal or on a sidewalk, or against any front wall within said City on conviction thereof as herein before provided, he or she shall forfeit and pay any sum not exceeding five dollars for every such offence and on default of payment shall be sentenced to not more than five days imprisonment in the County jail and hard labo

4th. It shall be the duty of the Sheriff of the County of Santa Fé and each Constable of the City of Santa Fé, to see that these regulations are enforced and carried into full effect, And all fines collected by virtue thereof shall be disposed of as prescribed in the regulations approved January 16th. 1856.

5th. These regulations shall take effect from and after the 1st day of August 1856

July 26th The Governor this day Commissioned José Aragon Justice of the Peace for the County of San Miguel.

" 28th The Governor this day Commissioned Rafael Rueles Judge of Probate for the County of Doña Ana.

" 29th The Governor this day appointed and commissioned William K. Peck Commissioner of Deeds in and for the State of Connecticut Norfolk.

August 1st The Governor this day issued the following proclamation for the arrest of Juan Martin Garcia Charged with the murder of Antonio Valdez.

Proclamation.

Whereas, the Governor has this day received information, that on the 8th. day of June 1856, in the Town of Santa Cruz de la Cañada, County of Rio Arriba, and Territory of New Mexico, a murder was committed upon the person of Antonio Valdez, by one Juan Martin Garcia, and whereas the said Garcia has not been arrested but is absconding at large therefore.

I David Meriwether Governor of the Territory of New Mexico do hereby order and direct each and every executive Officer of said Territory and request the good Citizens thereof to be diligent in persecuting the arrest of him the said Juan Martin Garcia that he may be brought to trial for said offence. The said Juan Martin Garcia is about 35 years of age five feet nine or ten inches high, hair black and inclined to curl, dark eyes, heavey eye brows, broad face, dark complection, beard, thin, short, stout and Coarse

In testimony whereof, I have hereunto set my hand and affixed the Seal of the Territory this 1st day of August A. D. 1856.

August 19th The Governor this day issued his writ directing the Probate Judge of the County of Taos to order an election to be holden in said County on the 1st Monday of September for one member of the Legislative Council to fill the vacancy occasioned by the resignation of Juan Benito Valdez.

August 24 The Governor this day pardoned Guillermo Apodaca, Rafael Bueno and Casimiro Goriulé, sentenced to three months hard labor in the Territorial Prison at the Taos term of the District Court on the 16th day of August A. D. 1856.

September 2. The Governor this day Commissioned the fo
who were elected at the late General election
on the 1st day of the present month viz.

For the County of Taos.

Justices of the Peace.

Gabriel Lucero
Desiderio Valdez
Francisco Varela
Juan de los Romero
Miguel Ortiz
Mates Romero
Antonio Vigil
Francisco Gallegos
Miguel Ant.o Lopez
Juan Antonio Espinosa
Pedro Gallegos
Roman Arellano
Manuel Sanchez
Felipe Romero
Julio Martin
Jose Dolores Romero
Desiderio Naranjo.

Constables.

Juan Or.
Miguel Chac
José Victor Medina
Felipe Martinez
Juan de Dios Ortibi
Pablo Gonzales
Ramon Pacheco
Pedro de Herrera
Juan José Mascareñas
Pedro Vigil
Felipe Nerio Vigil
Manuel Atencio
Vicente Baca
Antonio Lopez
Manuel Abeytia
Ceseriano Garcia
Jesus Maria Chavez.

For the County of Rio Arriba.

Justices of the Peace.

Pablo Valdez
Pedro Garcia
Ramon Pacheco
José Vibian Montoya
Francisco Esteban Salazar
Juan Gallegos
José Benito Cordova
Pedro Valdez.

Constables.

Manuel Antonio Montas
Quirino Trujillo
Miguel Atencio
Juan de Dios Montoya
Miguel Antonio Herrera
Valentin Martin
Juan Antonio Sandoval
Juan Ramon Valdez.

For the County of Santa Fe.

Justices of the Peace.

Jesus Maria Ortiz
Jacinto Griego
Nicolas Quintana
Andres Tapia
Vicente Lopez
Manuel Romero
Valentin Vazques
José Manuel Sandoval.
Jesus Maria Serrano

Constables.

Francisco Montas
Pablo Duran
Ramon Garcia
Jesus Jaramillo
Pedro Lopez
Miguel Narvais
Miguel Lucero
Ecsequio Sandoval
Juan F. Roibal.

For the County of San Miguel.

Justices of the Peace.

- Julian. Baca
- José Feliz Sanchez
- José Garduño
- Jesus Maria Bernal
- José Gutierres
- Blas Ortega.
- Faustin Baca y ortiz
- Francisco Gomez
- Teodora Sandoval
- Manuel Aragon
- Pedro Alcantar Vigil
- Roman Martin.

Constables.

- Romualdo Apodaca
- Esquipula Tenorio
- Andres Aragon
- Ramon Gallegos
- Rafael Maes
- José Gallegos
- Isidro Benavides
- Pablo Maese
- Julian Romero
- Luis Romero
- Antonio Garcia
- Desiderio Vigil.

For the County of Santa Ana.

J. of the Peace.

- Crecencio Baca
- Manuel Lucero
- Pablo Archibeque
- Vicente Romero

Constables.

- José Guadalupe Giron
- Manuel Serna
- Manuel Samora
- Jesus Herrera.

For the County of Bernalillo.

Justices of the Peace.

- Vicente Perea
- Fernando Aragon
- Felipe Garcia
- Miguel Garcia
- José Domingo Garcia
- Ambrocio Garcia
- José Rael Sanchez
- José Antonio Garcia

Constables.

- José Manuel Sandoval
- Trinidad Garcia
- Juan Lucero
- José Martin
- José Garcia
- José Dolores Lucero
- Francisco Marrino.
- Juan José Jaramillo

For the County of Valencia.

Justices of the Peace.

- José Castillo
- Pablo Pino
- Pablo Chavez
- Joaquin A. Bayan
- Manuel Trujillo
- Pablo Padia
- Juan Miguel Lucero
- Manuel Montoya
- Feliz Chavez.

Constables.

- José Montaño
- Marcelino Abeita
- José Trujillo
- Romualdo Mieza
- Romulo Chavez
- Manuel Garcia
- Juan Vicente Romero
- Jesus Chavez
- Pedro Miranbal.

For the County of Socorro.

Justices of the Peace.

- Julian Lopez
- Bartolo Apodaca
- Sebastian Gonzales
- Francisco de Luna
- Manuel Lopez
- Mariano Silva

Constables.

- Cesario Lopez
- Isabel Garcia
- Leandro N.
- J. Rafael Lopez
- Julian Romero
- Reyes Garcia.

1856.
Sept. 27th.

For the County of

Miguel Montoya
Gregorio Montoya
Ygnacio Orrante
Agustin Bernadet
Julian Apodaca
Mariano Duran.
} Justices of the Peace.

Ex
Anas
Jose M.a
Lucas Jaquez

October 1. The Governor this day remitted to Reyes Muñoz. who was convicted of larceny, at the March term of the district Court in Santa Fé county, there of prosecution.

" 28 The Governor this day commissioned George W Whitman Commissioner of deeds in the District of Columbia. for the Territy of New Mexico.

November 8 The Governor this day commissioned Antonio Ramirez ~~and~~ Justice of the peace. and José Padilla and Manuel Leyva constables, in the county of Bernalillo.

November 11. The Governor this day accepted the resignation of Hezekiah S. Johnson. district attorney of the third juvicial district, to take effect on the twentieth day of November. instant.

November 13. The Governor this day commissioned Romaldo Archibeque and Jesus Gonzales y Figil Justices of the Peace in and for the county of San Miguel.

November 20. The Governor this day filed in the secretary's office a descriptive list of the warrants of the territory burned under the act of February the 5th. 1855.
(Ext. journal was copied until to day)

December 1st The Governor this day delivered the following Message to the Members of the two Houses of the Legislative Assembly of the Territory of New Mexico.

Gentlemen of the Council
and House of Representatives:

Having again Assembled, in accordance with law, to deliberate upon, and provide for, the general interest and welfare of the Territory, I beg leave to ~~to~~ for your consideration such subjects as, in my opinion, require legislative action, ~~to~~ those that your more familiar knowledge of the people, their wants and interests, ~~to~~ supply any deficiency on my part.

A preceding Legislative Assembly having memorialized the Congress of the States on the subject of supplying the Territory with arms for defence against ~~the~~ ans and requesting the loan of one thousand stand of arms for that I am happy to inform you that the general government has responded memorial by placing in my hands two thousand muskets, and ~~one~~ and thirty seven rifles. The same Legislative Assembly ~~to~~ and placed in my hands one thousand dollars, to ~~to~~ might be procured, but the

under 1st and Charges upon these arms up to their delivery in this place, hence I have only found it necessary to draw from the Treasury eight dollars of this appropriation, to pay the cost of properly storing them away.

To make these arms available, it becomes necessary and proper that an act should be passed authorizing a distribution of a large portion thereof, to such volunteer Companies as may organize themselves according to the laws of the Territory; but in providing for such distribution care should be taken to secure to the exposed frontier settlements an ample supply; and special provision should be made to secure the preservation, safe Custody, and return thereof when required

The last Legislative Assembly passed an act "Providing and establishing means for the education of the Youth in the Territory of New Mexico" some of the provisions of which act seems not to have met the approval of the people, and as this is a subject of vital importance I recommend it to your serious Consideration, hoping that such modifications and amendments may be agreed upon as may render this law more acceptable to your respective Constituencies. In obedience to the provisio to the 32nd Section, this law has been submitted to a vote of the people of the Counties of Taos, Rio Arriba, Santa Ana, and Socorro with the following result, viz: in the County of Taos 2150 votes were cast against the law, and 8 in favour of it: Rio Arriba County gave 1893 against, and 18 for it: Santa Ana gave 456 against and 8 in favour of it: And Socorro gave 482 against and one in favour of the law, making 4981 votes in the negative to 35 in the affirmative. These results argues strongly in favor of serious modifications or a total repeal of the law in question.

By reference to the law defining the boundaries of the several Counties of the Territory, it will be found to be so indefinite, ambiguous and contradictory, in many instances, as to render it difficult, if not impossible, to decide where the dividing lines were intended to be established; in some instances this has rendered it impossible to know in what County certain Crimes were committed whereby Criminals have, and may again escape punishment. It is also difficult to decide where the jurisdictions of the officers of one County ceases, and those of an adjoining County commences. I therefore submit the subject to your consideration, with a hope that better defined boundaries may be established, than those contained in the act referred to.

In this Connection I will refer to another subject requiring your serious deliberation, growing out of the addition of all the Country acquired from Mexico by the Gadsden treaty, to the County of Dona Ana. The town of Tucson, and the settlements in that vicinity, are between two and three hundred miles from the County Seat of the County in which they are situated, and the same distance from the nearest place of voting without a Justice of the Peace or any other Civil Officer nearer at hand than two hundred miles, and without the possibility of having Justice administered, or Crime punished without incurring a travel of that distance. Hence it becomes a matter of serious Consideration whether a new County should be organized, or an additional precinct created for the accomodation of that section of the Territory. In either Case, the distance which these settlements are removed from the seat of government renders it necessary to devise some plan, different from that now established by law, from transmitting the returns of elections, otherwise the Territory will be subjected to a heavy cost, and the returns can never be received in time to be Counted with the other votes cast at the same election. From late information in my possession, that portion of the County of Doña Ana to which a line has been made, contains about one thousand white souls, and is rapidly increasing in population.

I herewith transmit to you the annual reports of the Auditor and Treasurer

the Auditor since the close of the fiscal year
and the amount of warrants outstanding and unredeemed

The Treasurer reports that he has paid and redeemed since
November 15th. 1856.
Living amount of outstanding and unpaid warrant on the 22d day
Amount received by the Treasurer since the close of the fiscal year ending
November 15th. 1855.
Amount in the hands of the Treasurer on same day
~~Balance remaining in the Treasury November 22d 1856~~ Total $10.
Deduct Amount of disbursements as above 10. 600
Balance remaining in the Treasury November 22d 1856. $ 00. 001 74

There seems to be a discrepancy between the reports of the Auditor and Treasurer in the Amount of warrants redeemed by the latter, but as the Auditor is not presumed to have Official Knowledge of the warrants redeemed, I have based my calculation in this particular upon the report of the Treasurer. I presume that this discrepancy arises from the Auditor's having erroniously credited the Treasurer by the amount of warrants drawn during the year, instead of those actually redeemed by him; certainly the Treasurer is not entitled to a Credit for the warrants drawn by the Auditor, but only such portions thereof as may have actually been redeemed, and it is certain that a large amount of the warrants entered to the credit of the Treasurer by the Auditor may not have been redeemed, whilst a large amount of the warrants drawn during the fiscal year ending November 15th. 1855 may have been redeemed in the succeeding year. Hence, if the Treasurer still continues to redeem the old warrants and is credited by the Auditor before they are redeemed, the Territory may soon be largely in his debt, whilst he may retain a large portion of the revenue in his hands.

From these reports it appears that the Annual revenue of the Territory is nearly equal to the expenditures by about $400.00 and as there is now warrants outstanding and unredeemed Amounting to $6, 167.50 with but $179.16 to redeem them with it would seem to be highly necessary either to increase the revenue or reduce the expenditures.

In obedience to the act of the Legislative Assembly approved February 5th 1855, on the 22d day of November 1856, the Treasurer presented to the Governor and Auditor warrants amounting to $ 8. 963. 75½ which had been redeemed by him from the 15th day of Nov. A.D. 1855, to the 15th day of November 1856. which warrant were burned and descriptive list taken and filed according to law.

Although our Territory has not been free from Indian depredations during the past year, I am happy to have it in my power to inform you that such depredations have been less frequent, and of a less serious Character than for several years.

The State House and Penitentiary, have progressed towards completion as much rapidity as the difficulties to be encountered, and a due regard to economy render practicable; And although neither can be entirely completed within ~~the~~ a short a hope is entertained that both buildings will be in a condition to be occupied for appropriate uses during the next year. But the appropriations heretofore made for erection of the State House are nearly expended, and an additional appropriation required for its Completion, together with estimates for which have been sent Department at Washington

Legislative Assembly memorialize Congress upon this subject at an early day.

I would also recommend that the Legislative Assembly again memorialize Congress, on the subject of paying the volunteers heretofore called out to assist in suppressing Indian hostilities and protecting our frontier from Indian depredations; and also in favour of a modification of the act of Congress approved August 16th 1856, entitled "An Act to amend the acts regulating the fees, costs, and other Judicial expenses of the Government in the States, Territories, and District of Columbia, and for other purposes."

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The proviso to the 5th Section of this act would seem to restrict the judges of the District court from holding courts in more than three places in the Territory, and let the most advantageous and convenient places which possibly can be selected be designated as the places for holding these courts, still a con be selected, be disignated as the places for holding these courts compliance with this provision of the act referred to will subject litigants, jurors, and witnesses to great inconvenience, cost and trouble in attending the courts in addition to which the cost, trouble and risk of escape in removing prisoners for trial from the counties in which crimes may be committed to one of the three counties in which courts are to be held, is an objection of no small magnitute. It is presumed by some, that this act of congress was only intended to apply to the United States District courts when sitting for the transaction of the United States business, and not to the District courts when sitting for the discharge of Territorial business, and civil causes arising between individuals, but well grounded fears are entertained that the language of the act will not admit of such a construction.

D. Meriwether.

Santa Fe December 1st 1856.

December 10. The Governor this day transmitted to the Legislative Assembly the report of the Board of Education for the County of Santa Fe.

The Governor this day approved a joint resolution, authorizing the Secretary to have printed one thousand copies of the Message.

1856

December 9th. The Governor this day appointed an ac
County seat of the County of Socorro.

December 15. The Governor this day commissioned Lazaro
and Juan Bernal Constable in and for the County of Sant

December 22. The Governor this day approved a Memorial to the Congress of the U. States in reference
Road from Fort Massachusetts to the town of Guadalupe on Conejos River.

December 23. The Governor this day signed and approved the following acts, memorials, an Joint Resolutio
1. An Act repealing an Act establishing and providing a mode for educating the youth
of the Territory of New Mexico
2. An Act repealing the various acts authorizing fairs to be held in the different Counties
of this Territory.
3. A memorial to Congress asking a further appropriation to complete the State House.
4. A Memorial to Congress asking a appropriation to pay the volunteer.
5. A Joint Resolution of adjournment until the 29 the instant at 10 Oclock in the morning.

December 30. The Governor this day Commissioned Jesus Mª de Herrera Justice of the Peace
in and for the County of Rio Arriba.

1857

~~January 5 The Governor this day commissioned Peter Chavez Constable and Inato Gonzales Justice of the Peace in and for the County of Bernalillo.~~

January 5. The Governor this day remitted the costs of prosecution to Antonio José Martin
who was convicted of Larceny at the August term of the district Court in the
County of Taos 1856.

January 8. The Governor this day pardoned John R. Johnson who was convicted at
the November term of the Socorro district Court in 1852.

January 9 The Governor this day pardoned Francisco Castillo who was convicted
at the June term of the Socorro district Court in 1856 of murder.

January 10 The Governor this day approved the following acts of the Legislative Assembly
viz.
1. An act amendatory of an act approved February 1st. 1854, and creating an
additional precinct in the County of Valencia.
2. An act repealing an act increasing the seventh demarcation of Taos County
approved January 9 1856.
3. An act creating two additional precinct in Bernalillo County
4. An act relating to sheriffs and other collecting officers.

January 13. The Governor this day approved and signed an act of the Legislat
authorizing Francisco Tomas Calleja de Baca to adopt Manuela Torres

1857.

January 21. The Governor this day responded to a Resolution of the House of Representatives, requesting him to furnish that body with information touching the state of the Militia of the Territory.

January 21 The Governor this day approved the following Memorial and acts of the Legislative Assembly, viz-

1. A Memorial of the Congress of the United State asking for an appropriation for roads in the Territory.
2. An act prohibiting gambling.
3. An act establishing additional precints in the county of Rio Arriba.
4. An act enlarging the jurisdiction of Probate Judges.
5. An act to prevent abuses committed by persons who make bails.

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January 22. An act amending an act approved January 6th 1852 regulating senatorial districts.

January 24 The Governor this day approved the following acts of the Legislative Assembly viz

1. An act to be entitled an act incorporating the Academy of Albuquerque.
2. An act in reference to Notaries Public.
3. An act restraining gambling.

January 26. The Governor this day appointed and commissioned John E. Weber a Notary Public to reside at Fort Defiance.

January 27 The Governor this day approved and signed an act of the Legislative Assembly touching executions.

January 28 The Governor this day approved and signed the following acts of the Legislative Assembly, and joint resolution. viz.

1. An act authorizing the loan of public arms.
2. An act amending an act approved January 9 the 1852 relative to dividing the counties in judicial districts for justices of the peace.
3. A joint resolution in reference to Congress changing the judicial district.

January 29 The Governor this day approved and signed the following acts of the Legislative assembly, viz.

1. An act changing the mode of chosing Probate Judges.
2. An act relating to Free Negroes.
3. An act reducing the salary of the Treasurer and Auditor.

January 30 The Governor this day appointed and commissioned Elias Brevoort Notary Public in and for the County of Doña Ana.

31 The Governor this day tendered his resignation to the President to take effect on the 31st day of October next or as soon thereafter as he shall be relieved by a successor

1857.

January 30. The Governor this day approved and ... houses allowing the clerks four days after the ... ished business.

January 31. The Governor this day approved and signed an act ... bly in relation to the wild Indians.

February 1. The Governor this day approved and signed a joint resolution authorizing the Secretary of the Territory to have certain treaties printed ... laws of the Territory.

February 2 The Governor this day approved and signed an act of the Legislative Assembly, authorizing him to approve acts passed by the assembly after the adjournment.

February 3. The Governor this day approved and signed the following acts of the Legislative Assembly, viz:

1. An act relative to suits before justices of the peace.
2. An act relative to fines.

February 4 The Governor this day approved and signed the following acts of the Legislative assembly viz.

" 1 An act providing for the selection of jurors.
" 2. A joint resolution requesting the Governor to furnish the Prefect of the County of Bernalillo with a copy of a certain act. &c.
3 An act for the relief of David F. Whiting.
4 An act relating to executions.
5 An act prohibiting ~~all~~ merchants and vintners keeping their stores open on Sunday.

February 11 The Governor this day approved and signed an act of the Legislative Assembly incorporating the New Mexico Mining and Rail Road Company.

February 12 The Governor this day approved and signed an act of the Legislative Assembly incorporating the Santa Fé Literary Club: and a joint resolution authorizing the Secretary of the Territory to have the laws and journals printed.

March 21 The Governor this day pardoned Eustasio Jibira, who was convicted at the September term of the Santa Fé county district court 1856, of the crime of larceny.

March 21. The Governor this day commissioned the following persons officers of a volunteer company at Los Conejos in Taos County, viz. Jesus Velasquez, Captain, Lafayette Head, first lieutenant, and José Gabriel Martin second lieutenant.

March 21. ~~The Governor this day pardoned San Antonio Sheit~~ Vicente Lupe accomplice of the murder of Judas.

1857

March 21 The Governor this day appointed and commissioned Thomas G. Smith, Notary Public in and for the county of Taos.

March 23 The Governor this day commissioned the following officers in and for the county of Bernalillo: viz:

Justices of the Peace,	Constables.
Salvador Jaramillo.	Salvador Tafoya.
Juan Lucero,	Roque Chavez.
Juan Antonio Sandoval,	Nestor Garcia.

March 28 The Governor this day appointed and commissioned Thomas G. Smith. District attorney in and for the second judicial district.

March 31 The Governor this day appointed and commissioned William G. English commissioner of deeds for California.

April 17 The Governor this day remitted a fine to José Manuel Cordova, imposed upon him by the district court, Taos county, at the August Term 1856.

April 23 The Governor this day administered the following oath of office to James J. Deavenport Chief Justice of New Mexico, viz.

United States of America }
Territory of New Mexico }

Personally appeared before me the undersigned Governor of the Territory of New Mexico James J. Deavenport who was duly sworn to support the Constitution of the United States, and that he would faithfully discharge, to the best of his abilities the duties of Chief Justice of the Territory of New Mexico.

In testimony whereof I have hereunto set my hand this twenty third day of April A. D. 1857.

(signed) D. Meriwether
Gov.r of New Mexico

April 25. The Governor this day pardoned Rafael Maes who was convicted at the April term of the U. S. district Court for Taos County of an assault with intent to commit.

April 21 The Governor this day issued eighty stand of muskets, eighty bayonets, eighty screw drivers, eighty wipers, and eight thousand percussion caps, to a volunteer company in Los Conejos.

The Governor this day commissioned the following officers for Rio Arriba County viz. Justices of the Peace.

Justices of the Peace.	Constables.
José Gabel Martinez.	Pedro Jose Gallegos.
José Rafael Trujillo.	José Maria Baca.
Manuel Cordova.	Pedro Salazar y Jarvis.
Manuel Jaramillo	Juan Antonio Sandoval.
José Benito Cordova	
Juan Bautista Lopez.	